



CITY OF WAUWATOSA

COMMON COUNCIL

MINUTES • AUGUST 6, 2013

Regular Meeting

Common Council Chambers

7:30 PM

7725 West North Avenue, Wauwatosa, WI 53213

PRESENT: Alds. Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson, Berdan, Birschel, Causier, Donegan, Dubinski, Hanson, McBride, Moldenhauer, Organ -15

EXCUSED: Ald. Ewerdt

ALSO PRESENT: Mr. Kesner, City Attorney; Mr. Porter, Public Works Director; Mr. Ruggini, Finance Director; Police Chief Weber; Ms. Szudy, Principal Planner; Mr. Wojcehowicz, Water Utility Supt.; Fire Chief Ugaste; Ms. Ledesma, City Clerk

Mayor Ehley in the Chair

The Mayor called the meeting to order at 7:30 p.m.

It was moved by Ald. McBride, seconded by Ald. Organ that the reading of the minutes of the last regular meeting be dispensed with and they be approved as printed. -15

APPOINTMENTS BY THE MAYOR

1. Board of Review (appointment, final reading)

Pamela Stokke-Ceci, 6420 Betsy Ross Place (Dist. 1)
(Filling vacancy; Term expires 6/30/14)

2. Board of Public Debt Commissioners (reappointment, final reading)

Marlyn Spear, 2335 North 89th Street (Dist. 6)
(Term expires 4/30/15)

3. Senior Commission (appointment, final reading)

Randall L. Daut, 2420 North 84th Street (Dist. 6)
(Term expires 4/30/15)

4. Visit Milwaukee (reappointment, final reading)

Paulette Enders, 7725 West North Avenue (Administration Representative)
(Term expires 7/20/14)

It was moved by Ald. Birschel, seconded by Ald. Berdan to concur with the foregoing appointments. -15

APPLICATIONS, COMMUNICATIONS, ETC.

1. Notice of Claim: Nancy Ring, 1615 S. 115th Street, West Allis

City Attorney

2. Letter from Sharry Kocevar, 8864 Ravenswood Circle, regarding chicken ordinance

Add to existing file

- 3. Milwaukee Metropolitan Sewerage District 2012 Comprehensive Annual Financial Report

Place on file

- 4. Notice of Claim: Zina Hunt, 4266 N. 104th Street #1, Milwaukee

City Attorney

- 5. Notice of Claim: Asha Sawyers, 2931 N. 2nd Street, Milwaukee

City Attorney

- 6. Letter from Jim Frinzi, 8867 Ravenswood Circle, in support of chicken license application submitted by Sharry Koccevar, 8864 Ravenswood Circle

Add to existing file

ORDINANCES FOR INTRODUCTION

- 1. Ordinance amending Section 11.32.080 of the Wauwatosa Municipal Code to add a parking restriction on West Blue Mound Road

Refer to originating committee

ORDINANCE

ORDINANCE AMENDING SECTION 11.32.080 OF THE WAUWATOSA MUNICIPAL CODE TO ADD A PARKING RESTRICTION ON WEST BLUE MOUND ROAD

The Common Council of the City of Wauwatosa do ordain as follows:

Part I. The "'Blue Mound Road - north side" portion of the "Schedule of Streets, and portions" subsection of Wauwatosa Code Section 11.32.080 is hereby amended by adding the following:

- (a) at the no loading zone in front of 9898 W. Blue Mound Road

Part II. This ordinance shall take effect on and after its date of publication.

RESULT:	REFER TO ORIGINATING COMMITTEE	Next: 9/3/2013 7:00 PM
TO:	Traffic and Safety Committee	

- 2. Ordinance amending Section 11.32.080 of the Wauwatosa Municipal Code to provide for parking restrictions on the north side of Hillside Lane

Refer to originating committee

ORDINANCE

ORDINANCE AMENDING SECTION 11.32.080 OF THE WAUWATOSA MUNICIPAL CODE TO PROVIDE FOR PARKING RESTRICTIONS ON THE NORTH SIDE OF

HILLSIDE LANE

The Common Council of the City of Wauwatosa do ordain as follows:

Part I. The "Hillside Lane" portion of the "Schedule of Streets, and portions" subsection of Wauwatosa Code Section 11.32.080 is hereby amended by adding the following:

- (a) on north side of street

Part II. This ordinance shall take effect on and after its date of publication.

RESULT:	REFER TO ORIGINATING COMMITTEE	Next: 9/3/2013 7:00 PM
TO:	Traffic and Safety Committee	

FROM THE COMMITTEE ON LEGISLATION, LICENSING & COMMUNICATIONS

- Resolution approving an application by Sandy Haeger, d/b/a One Way Cafe & Gallery, 1427 Underwood Avenue, for a transfer of the "Class B" Liquor License from Dennis Kramer, Vino 100, 1442 Underwood Avenue, for the period ending June 30, 2014

Committee recommended approval 5-0

RESOLUTION R-13-148

WHEREAS, Vino 100, 1442 Underwood Avenue, Wauwatosa, WI, has requested a transfer of its "Class B" liquor license to Sandy Haeger, d/b/a One Way Cafe & Gallery;

NOW, THEREFORE, BE IT RESOLVED THAT the Class B liquor license be transferred from Vino 100 to Sandy Haeger, d/b/a One Way Cafe & Gallery, 1427 Underwood Avenue, Wauwatosa, WI, for the period ending June 30, 2014.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Peter Donegan, Alderman
SECONDER:	Joel Tilleson, Alderman
AYES:	Berdan, Birschel, Causier, Donegan, Dubinski, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Ewerdt

- Resolution approving an application by Michael Laus, d/b/a Jimmy's Island Grill/Radisson Hotel, 2303 N. Mayfair Road, for a liquor license extension for a 2nd Anniversary Party to be held on August 25, 2013

Committee recommended approval 5-0

RESOLUTION R-13-149

WHEREAS, Michael Laus, d/b/a Jimmy's Island Grill/Radisson Hotel, 2303 N. Mayfair Road, Wauwatosa, WI, has requested extension of the licensed premises to include the parking lot on August 25, 2013, for a 2nd Anniversary Party;

NOW, THEREFORE, BE IT RESOLVED THAT the licensed premises of Jimmy's Island Grill/Radisson Hotel, be extended to include the parking lot on August 25, 2013, from 2:00 PM through 8:00 PM, with live music from 3:00 PM - 7:00 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Peter Donegan, Alderman
SECONDER:	Joel Tilleson, Alderman
AYES:	Berdan, Birschel, Causier, Donegan, Dubinski, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Ewerdt

3. Resolution approving an application by Mark Zierath, d/b/a Jackson's Blue Ribbon Pub, 11302 W. Blue Mound Road, for a liquor license extension for a one-day outdoor festival to be held on August 24, 2013

Committee recommended approval 5-0

RESOLUTION R-13-150

WHEREAS, Mark Zierach, d/b/a Jackson's Blue Ribbon Pub, 11302 W. Blue Mound Road, has requested a temporary extension of the licensed premises to include the parking lot of his business on August 24, 2013, for an outdoor festival;

NOW, THEREFORE, BE IT RESOLVED THAT the licensed premises of Jackson's Blue Ribbon Pub, be extended to include the parking area on August 24, 2013, between the hours of Noon and 9:00 PM.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Peter Donegan, Alderman
SECONDER:	Joel Tilleson, Alderman
AYES:	Berdan, Birschel, Causier, Donegan, Dubinski, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Ewerdt

4. Resolution approving the Operator License application by Kayla Smith, 8082 N. 67th Street, Brown Deer, for the period ending June 30, 2014, subject to a six month review

Committee recommended approval 4-2

RESOLUTION R-13-151

WHEREAS, Kayla Smith, 8082 N. 67th Street, Brown Deer, WI, has applied for an operator's license in conjunction with her employment at Dave & Busters;

NOW, THEREFORE, BE IT RESOLVED THAT Kayla Smith is hereby issued an operator's license for the period ending June 30, 2014, contingent upon a review of her record in six months;

BE IT FURTHER RESOLVED THAT the Wauwatosa Police Department is directed to review Ms. Smith's record six months after issuance of this initial license and report back to the Committee on Legislation, Licensing and Communications if any new significant issues or concerns are revealed at that time.

RESULT:	APPROVED [12 TO 3]
MOVER:	Peter Donegan, Alderman
SECONDER:	Joel Tilleson, Alderman
AYES:	Berdan, Causier, Donegan, Hanson, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
NAYS:	Birschel, Dubinski, McBride
EXCUSED:	Ewerdt

5. Resolution approving applications by Arte LLC, d/b/a Arte Wine & Painting Studio, for a Reserve "Class B" Liquor License for 1442 Underwood Avenue, to transfer a Class "B" Beer License from 7511 Harwood Avenue to 1442 Underwood Avenue for the period ending June 30, 2014, Lisa Allen, Agent, and for an economic development grant

Committee recommended approval 6-0

RESOLUTION R-13-152

WHEREAS, Arte, LLC, 1442 Underwood Avenue, Wauwatosa, WI, has applied for a Reserve Class B liquor license, to transfer a Class B beer license from 7511 Harwood Avenue to 1442 Underwood Avenue, and for an economic development grant;

NOW, THEREFORE, BE IT RESOLVED THAT a Reserve Class B liquor license be awarded to Arte, LLC, 1442 Underwood Avenue along with a transfer of the Class B beer license from 7511 Harwood Avenue to 1442 Underwood Avenue;

BE IT FURTHER RESOLVED THAT an economic development grant in the sum of \$9,500.00 pursuant to Section 6.08.475 of the Wauwatosa Municipal Code be and hereby is granted.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Peter Donegan, Alderman
SECONDER:	Joel Tilleson, Alderman
AYES:	Berdan, Birschel, Causier, Donegan, Dubinski, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Ewerdt

6. Resolution authorizing inclusion of a referendum on the spring 2014 election ballot pertaining to campaign finance limits

Committee recommended approval 6-0

RESOLUTION R-13-153

WHEREAS, Wisconsin Statute Section 9.20 provides a method for citizens to petition the Common council for direct legislation, provided that the appropriate number of valid electors' signatures are produced on a petition; and

WHEREAS, the requisite number of signatures on a direct legislation petition were submitted by Grassroots Tosa on July 10, 2013, which petition was certified for sufficiency and form by the Wauwatosa City Clerk on July 25, 2013; and

WHEREAS, the question on the direct legislation petition reads as follows:

"RESOLVED, the City of Wauwatosa, Wisconsin, calls for reclaiming democracy from the corrupting effects of undue corporate influence by amending the United States Constitution to establish that:

1. Only human beings, not corporations, are entitled to constitutional rights, and
2. Money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting political speech

BE IT FURTHER RESOLVED, that we hereby instruct our state and federal representatives to enact resolutions and legislation to advance this effort;" and

WHEREAS, upon receipt of a petition for direct legislation containing the requisite number of electors' signatures and having been certified by the City Clerk, the Common Council is required either to pass the resolution without alteration or submit to the electors at the next general election; and

WHEREAS, the Common Council of the City of Wauwatosa believes that a question such as the one submitted would be most appropriately addressed by a referendum placed before the voters of the City of Wauwatosa;

NOW, THEREFORE, BE IT RESOLVED THAT the question which is the topic of the direct legislation petition submitted by Grassroots Tosa on July 10, 2013, shall hereby be submitted to the votes of the City of Wauwatosa at the time of the Spring, 2014, general election, with the question on the ballot requiring a yes or no answer for the following statement:

"RESOLVED, the City of Wauwatosa, Wisconsin, calls for reclaiming democracy from the corrupting effects of undue corporate influence by amending the United States Constitution to establish that:

1. Only human beings, not corporations, are entitled to constitutional rights, and
2. Money is not speech, and therefore regulating political contributions

and spending is not equivalent to limiting political speech

BE IT FURTHER RESOLVED, that we hereby instruct our state and federal representatives to enact resolutions and legislation to advance this effort."

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Peter Donegan, Alderman
SECONDER:	Joel Tilleson, Alderman
AYES:	Berdan, Birschel, Causier, Donegan, Dubinski, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Ewerdt

- Resolution approving the Operator License application by Brianna Keaton, 2597 N. Oakland, Milwaukee, for the period ending June 30, 2014, subject to a six month review

Committee recommended approval 6-0

RESOLUTION R-13-154

WHEREAS, Brianna Keaton, 2597 N. Oakland, Milwaukee, WI 53211, has applied for an operator's license in conjunction with her employment at Dave and Busters;

NOW, THEREFORE, BE IT RESOLVED THAT Brianna Keaton is hereby issued an operator's license for the period ending June 30, 2014, contingent upon a review of her record in six months;

BE IT FURTHER RESOLVED THAT the Wauwatosa Police Department is directed to review Ms. Keaton's record six months after issuance of this initial license and report back to the Committee on Legislation, Licensing and Communications if any new significant issues or concerns are revealed at that time.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Peter Donegan, Alderman
SECONDER:	Joel Tilleson, Alderman
AYES:	Berdan, Birschel, Causier, Donegan, Dubinski, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Ewerdt

FROM THE COMMITTEE ON COMMUNITY DEVELOPMENT

- Ordinance amending Chapter 1.04.110 of the Wauwatosa Municipal Code to move two polling places (for adoption)

Committee recommended adoption 8-0

ORDINANCE O-13-12

The Common Council of the City of Wauwatosa do ordain as follows:

Part I. That portion of Section 1.04.110 of the Wauwatosa Municipal Code relating to the Polling location for Ward 13 is hereby amended to reflect that the polling location shall be at Wauwatosa Public Library, Firefly Room, 7635 West North Avenue.

Part II. That portion of Section 1.04.110 of the Wauwatosa Municipal Code relating to the Polling location for Wards 2 and 3 is hereby amended to reflect that the polling location shall be at the Wauwatosa Woman's Club, 1626 North Wauwatosa Avenue.

Part III. This ordinance shall take effect on and after its date of publication.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Jeffrey Roznowski, Alderman
SECONDER:	Bobby Pantuso, Alderman
AYES:	Berdan, Birschel, Causier, Donegan, Dubinski, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Ewerdt

- Resolution approving the UWM Innovation Accelerator landscaping at approximately 9700 Watertown Plank Road, Cliff Goodhart, Eppstein Uhen Architects, and Curt Stang, UWM Real Estate Foundation, applicants

Committee recommended approval 8-0

RESOLUTION R-13-155

WHEREAS, Cliff Goodhart, Eppstein Uhen Architects, and Curt Stang, UWM Real Estate Foundation, applied for approval of landscaping for the UWM Innovation Accelerator, located at approximately 9700 Watertown Plank Road, and;

WHEREAS, this request was reviewed and recommended by the Committee on Community Development and determined to be necessary for the public convenience at that location; located and proposed to be operated in such manner which will protect the public health, safety, and welfare; and was found to be compatible with surrounding uses;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby grants approval to Cliff Goodhart, Eppstein Uhen Architects, and Curt Stang, UWM Real Estate Foundation, for the UWM Innovation Accelerator landscaping.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Jeffrey Roznowski, Alderman
SECONDER:	Bobby Pantuso, Alderman
AYES:	Berdan, Birschel, Causier, Donegan, Dubinski, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Ewerdt

FROM THE COMMITTEE ON BUDGET & FINANCE

1. Resolution approving a Memorandum of Agreement with Milwaukee County including acquisition of customers and a 10-year water tower lease

Committee recommended approval 7-0

RESOLUTION R-13-156

WHEREAS, the Wauwatosa Water Utility has reached a Memorandum of Agreement with Milwaukee County regarding transfer of seven (7) water utility customers from the County's water utility to the Wauwatosa Water Utility, which agreement also includes financial terms for a 10 year lease of the County's water tower located near Watertown Plank Road, west of Highway 45, and transfer of ownership of that tower and the land beneath to the City of Wauwatosa at the conclusion of the 10 year lease; and

WHEREAS, the proposed Memorandum of Understanding was approved by the Milwaukee County Board on June 20, 2013; and

WHEREAS, the draft was presented to the Committee on Budget and Finance at its meeting of July 30, 2013;

NOW, THEREFORE, BE IT RESOLVED THAT appropriate City officials are hereby authorized to enter into a Memorandum of Agreement between Milwaukee County and the Wauwatosa Water Utility, transferring seven (7) customers and entering into a 10-year lease with transfer of ownership of the water tower and land, which Memorandum of Agreement shall be in substantial conformance with the document presented to the Committee on Budget & Finance at its July 30, 2013 meeting.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Craig Wilson, Alderman
SECONDER:	Tim Hanson, Alderman
AYES:	Berdan, Birschel, Causier, Donegan, Dubinski, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Ewerdt

2. Resolution approving 2013 Community Development Block Grant Program funding levels

Committee recommended approval 7-0

RESOLUTION R-13-157

WHEREAS, the amount for the City's Community Development Block Grant (CDBG) allocation for 2013 is \$905,241, which is approximately 5% greater than the amount the City received in 2012; and,

WHEREAS, it was necessary to amend funding levels for applicant requests to reflect the increase in funding; and,

WHEREAS, the previously approved 2013 funding request for Rebuilding Together Greater Milwaukee (\$125,000) will be reallocated to Admin/Planning (\$50,000) and WEDC (\$75,000); and,

WHEREAS, in addition to the 2013 approved allocation, approximately \$131,234 of unspent funds from completed projects will be reallocated to economic development under the City's WEDC to bring their 2013 CDBG Balance to \$300,000;

NOW, THEREFORE BE IT RESOLVED THAT the Common Council of the City of Wauwatosa approves the use of 2013 CDBG funds for the following purposes:

Administration & Planning - \$181,000 Max.

Administration/Planning, \$125,000

Metro Fair Housing, \$33,000

Total, \$158,000

Public Services & Community Programs - \$135,780 Max.

Senior Center, \$86,200

ARC Milwaukee, \$13,980

Elena's House, \$10,550

Interfaith, \$3,400

Tosa Food Pantry, \$5,300

Tosa Cares, \$6,350

Total, \$135,780

Public Facilities, Economic Development & Rehabilitation

WWBIC, \$20,000

Greek Orthodox Manor, \$109,500

Vision Forward, \$10,000

Lutheran Home, \$303,195

WEDC, \$68,766

Total, \$611,461

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Craig Wilson, Alderman
SECONDER:	Tim Hanson, Alderman
AYES:	Berdan, Birschel, Causier, Donegan, Dubinski, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Ewerdt

3. Resolution approving an Emergency Medical Services billing rate adjustment

Committee recommended approval 7-0

RESOLUTION R-13-158

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT a 2.7% rate increase for Emergency Medical Services be and the same is hereby approved, effective August 15, 2013.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Craig Wilson, Alderman
SECONDER:	Tim Hanson, Alderman
AYES:	Berdan, Birschel, Causier, Donegan, Dubinski, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Ewerdt

4. Resolution denying the purchase of portable speed tables for a Traffic Calming Pilot Program

Budget and Finance Committee's motion to approve failed 3-4

Traffic and Safety Committee recommended approval of speed table purchase 5-0

RESOLUTION R-13-159

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT the request for approval to purchase portable speed tables for a Traffic Calming Pilot Program is hereby approved.

RESULT:	APPROVED [13 TO 2]
MOVER:	Dennis McBride, Alderman
SECONDER:	Tim Hanson, Alderman
AYES:	Berdan, Causier, Donegan, Dubinski, Hanson, McBride, Moldenhauer, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
NAYS:	Birschel, Organ
EXCUSED:	Ewerdt

5. Resolution authorizing an agreement with Engberg Anderson, Inc. in the amount of \$46,350 for the design, administrative and bidding costs associated with the Hart Park Pavillion construction project

Committee recommended approval 7-0

RESOLUTION R-13-160

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT authorization is hereby granted to enter into an Agreement with Engberg Anderson, Inc. in the amount of \$46,350.00 for the design, administrative and bidding costs associated with the Hart Park Pavilion construction project.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Craig Wilson, Alderman
SECONDER:	Tim Hanson, Alderman
AYES:	Berdan, Birschel, Causier, Donegan, Dubinski, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Ewerdt

6. Resolution approving an amendment to the 2014 Capital Improvement Plan for North Avenue sewer utility improvements

Committee recommended approval 8-0

RESOLUTION R-13-161

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT permission be and hereby is granted to amend the 2014 Capital Improvement Plan for North Avenue sewer improvements, as more particularly described at the meeting of the Committee on Budget and Finance at its meeting of July 30, 2013.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Craig Wilson, Alderman
SECONDER:	Tim Hanson, Alderman
AYES:	Berdan, Birschel, Causier, Donegan, Dubinski, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Ewerdt

7. Resolution authorizing the issuance and sale of approximately \$3,465,000 General Obligation Refunding Bonds, Series 2013

RESOLUTION R-13-162

WHEREAS, the City of Wauwatosa, Milwaukee County, Wisconsin (the "City") heretofore issued its Taxable General Obligation Promissory Notes, Series 2009 (Build America Bonds - Direct Payment), dated July 1, 2009 (the "Refunded Obligations") and irrevocably designated such issue to be a qualified "Build America Bond" within the meaning of Subsection 54AA(g) of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations promulgated thereunder by the U.S. Department of Treasury (the "Regulations") so that the City is eligible to claim refundable credits with respect to each interest payment on the Refunded Obligations, payable to the City by the Secretary of the

United States Department of the Treasury ("Treasury");

WHEREAS, the Refunded Obligations are subject to redemption prior to maturity, in whole or in part, at the option of the City, on any day, at a redemption price equal to 100% of the principal amount redeemed plus accrued interest to the date of redemption, in the event that either (a) Section 54AA or 6431 of the Code is repealed, amended or modified in a manner which results in a reduction or elimination of the City's 35% cash subsidy payment from the Treasury or (b) the Treasury fails to make a cash subsidy payment to which the City is entitled and such failure is not caused by any action or inaction by the City ("Extraordinary Redemption");

WHEREAS, on May 20, 2013, the City was notified by the Treasury that the credit payment it requested with respect to the June 1, 2013, interest payment on the Refunded Obligations was reduced by 8.7%, pursuant to the requirements of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and the City subsequently received the reduced credit payment;

WHEREAS, the Treasury's reduction in the credit payment with respect to the June 1, 2013, interest payment was not due to any action or inaction by the City;

WHEREAS, these circumstances satisfy the requirements for Extraordinary Redemption set forth above and the Refunded Obligations are eligible to be redeemed on any day;

WHEREAS, the Common Council deems it to be necessary, desirable and in the best interest of the City to refund the Refunded Obligations due to Treasury's failure to make the full cash subsidy payment;

WHEREAS, it is desirable to borrow the funds needed for such purpose through the issuance of general obligation bonds pursuant to Section 67.04, Wisconsin Statutes;

WHEREAS, cities are authorized by the provisions of Section 67.04, Wisconsin Statutes, to borrow money and issue general obligation refunding bonds to refinance their outstanding obligations;

WHEREAS, the Common Council adopted a resolution on July 16, 2013 directing Hutchinson, Shockey, Erley & Co., Milwaukee, Wisconsin ("HSE") to take the steps necessary to sell general obligation bonds designated "General Obligation Refunding Bonds, Series 2013" (the "Bonds") to pay the cost of the Refunding;

WHEREAS, HSE, in consultation with the officials of the City, prepared an Official Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Bonds and indicating that the Bonds would be offered for public sale on August 6, 2013;

WHEREAS, the City Clerk (in consultation with HSE) caused a form of notice of the sale to be published and/or announced and caused the Official Notice of Sale to be

distributed to potential bidders offering the Bonds for public sale on August 6, 2013;

WHEREAS, the City has duly received bids for the Bonds as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation"); and

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the City. HSE has recommended that the City accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1A. Ratification of the Official Notice of Sale and Offering Materials. The Common Council of the City hereby ratifies and approves the details of the Bonds set forth in Exhibit A attached hereto as and for the details of the Bonds. The Official Notice of Sale and any other offering materials prepared and circulated by HSE are hereby ratified and approved in all respects. All actions taken by officers of the City and HSE in connection with the preparation and distribution of the Official Notice of Sale and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Authorization and Award of the Bonds. For the purpose of paying the cost of the Refunding, there shall be borrowed, pursuant to Section 67.04, Wisconsin Statutes, through the issuance of the Bonds, the sum of THREE MILLION THREE HUNDRED FIFTEEN THOUSAND DOLLARS (\$3,315,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal of the Purchaser offering to purchase the Bonds for the sum set forth on the Proposal (as modified on the Bid Tabulation and reflected in the Pricing Summary referenced below and incorporated herein), plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the Proposal (as modified on the Bid Tabulation) is hereby accepted. The Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. The good faith deposit of the Purchaser shall be retained by the Finance Director and applied in accordance with the Official Notice of Sale, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Bonds bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Refunding Bonds, Series 2013"; shall be issued in the aggregate principal amount of \$3,315,000; shall be dated August 20, 2013; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum; and mature on December 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest is payable semi-annually on June 1 and December 1 of each year commencing on December 1, 2013. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal

Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Bonds shall not be subject to optional redemption.

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2013 through 2017 for the payments due in the years 2013 through 2018 in the amounts set forth on the Schedule. The amount of tax levied in the year 2013 shall be the total amount of debt service due on the Bonds in the years 2013 and 2014; provided that the amount of such tax carried onto the tax rolls shall be abated by any amounts appropriated pursuant to subsection (D) below which are applied to payment of interest on the Bonds in the year 2013.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

(D) Appropriation. The City hereby appropriates from amounts levied to pay debt service on the Refunded Obligations or other funds of the City on hand a sum sufficient to be irrevocably deposited in the segregated Debt Service Fund Account created below and used to pay the interest on the Bonds coming due on December 1, 2013 as set forth on the Schedule.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and

distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Refunding Bonds, Series 2013, dated August 20, 2013" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The Finance Director shall deposit in the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Bonds; (ii) any premium not used for the Refunding which may be received by the City above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium not used for the Refunding and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purpose for which borrowed or for the payment of the principal of and the interest on the Bonds. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies,

including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose for which the Bonds have been issued has been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Bonds and by the Refunded Obligations and the ownership, management and use of the projects will not cause the Bonds or the Refunded Obligations to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Bonds provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be

such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 11. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by the Finance Director (the "Fiscal Agent").

Section 12. Persons Treated as Owners; Transfer of Bonds. The City shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

Section 13. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the City at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the City and on file in the City Clerk's office.

Section 15. Official Statement. The Common Council hereby approves the Near

Final Official Statement with respect to the Bonds and deems the Near Final Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Near Final Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Near Final Official Statement and any addenda or Final Official Statement. The City Clerk shall cause copies of the Near Final Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 16. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 17. Redemption of the Refunded Obligations. The Refunded Obligations are hereby called for prior payment and redemption on September 9, 2013 at a price of par plus accrued interest to the date of redemption.

The City hereby directs the City Clerk to work with HSE to cause timely notice of redemption, in substantially the form attached hereto as Exhibit F and incorporated herein by this reference (the "Notice"), to be provided at the times, to the parties and in the manner set forth on the Notice. All actions heretofore taken by the officers and agents of the City to effectuate the redemption of the Refunded Obligations are hereby ratified and approved.

Section 18. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 19. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal

bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 20. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Craig Wilson, Alderman
SECONDER:	Tim Hanson, Alderman
AYES:	Berdan, Birschel, Causier, Donegan, Dubinski, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Ewerdt

8. Resolution authorizing the issuance and sale of \$6,250,000 General Obligation Promissory Notes, Series 2013

RESOLUTION R-13-163

WHEREAS, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Wauwatosa, Milwaukee County, Wisconsin (the "City") to raise funds for public purposes, including paying the cost of street improvement projects, bridge repairs, park projects, storm and sanitary sewer improvements, police, fire and public works equipment, park improvements and other public improvements included in the City's Capital Improvement Plan (collectively, the "Project"), and there are insufficient funds on hand to pay said cost;

WHEREAS, cities are authorized by the provisions of Section 67.12(12), Wisconsin Statutes, to borrow money and issue general obligation promissory notes for such public purposes;

WHEREAS, the Common Council adopted a resolution on July 16, 2013 directing Hutchinson, Shockey, Erley & Co., Milwaukee, Wisconsin ("HSE") to take the steps necessary to sell general obligation promissory notes designated "General Obligation Promissory Notes, Series 2013" (the "Notes") to pay the cost of the Project;

WHEREAS, HSE, in consultation with the officials of the City, prepared an Official Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Notes and indicating that the Notes would be offered for public sale on August 6, 2013;

WHEREAS, the City Clerk (in consultation with HSE) caused a form of notice of the sale to be published and/or announced and caused the Official Notice of Sale to be distributed to potential bidders offering the Notes for public sale on August 6, 2013;

WHEREAS, the City has duly received bids for the Notes as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation"); and

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the City. HSE has recommended that the City accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1A. Ratification of the Official Notice of Sale and Offering Materials. The Common Council of the City hereby ratifies and approves the details of the Notes set forth in Exhibit A attached hereto as and for the details of the Notes. The Official Notice of Sale and any other offering materials prepared and circulated by HSE are hereby ratified and approved in all respects. All actions taken by officers of the City and HSE in connection with the preparation and distribution of the Official Notice of Sale and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Authorization and Award of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of SIX MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$6,250,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal of the Purchaser offering to purchase the Notes for the sum set forth on the Proposal, plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the Proposal is hereby accepted. The Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. The good faith deposit of the Purchaser shall be retained by the Finance Director and applied in accordance with the Official Notice of Sale, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Notes bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes, Series 2013"; shall be issued in the aggregate principal amount of \$6,250,000; shall be dated August 20, 2013; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on June 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest is payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2014. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities

Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Notes maturing on June 1, 2022 and thereafter shall be subject to redemption prior to maturity, at the option of the City, on June 1, 2021 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2013 through 2022 for the payments due in the years 2014 through 2023 in the amounts set forth on the Schedule.

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct

account designated as the "Debt Service Fund Account for \$6,250,000 General Obligation Promissory Notes, Series 2013, dated August 20, 2013" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. The Finance Director shall deposit in the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the City above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Notes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be

Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Notes and the ownership, management and use of the projects will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract

heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 11. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by the Finance Director (the "Fiscal Agent").

Section 12. Persons Treated as Owners; Transfer of Notes. The City shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 13. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the City at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the City and on file in the City Clerk's office.

Section 15. Official Statement. The Common Council hereby approves the Near Final Official Statement with respect to the Notes and deems the Near Final Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Near Final Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Near Final Official Statement and any addenda or Final Official Statement. The City Clerk shall cause copies of the Near Final Official Statement and any addenda or

Final Official Statement to be distributed to the Purchaser.

Section 16. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 17. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 18. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 19. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Craig Wilson, Alderman
SECONDER:	Tim Hanson, Alderman
AYES:	Berdan, Birschel, Causier, Donegan, Dubinski, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Ewerdt

9. Bills and claims

FROM THE COMMITTEE ON BUDGET AND FINANCE

BILLS AND CLAIMS FOR THE PERIOD 7/17/13 - 8/6/13 --

The Committee on Budget and Finance hereby reports to the Common Council that it has examined the accounts of bills and claims and hereby certifies the same as correct and recommends that each of said accounts be allowed and paid.

Total bills and claims for 7/17/13 - 8/6/13: \$7,016,030.40

It was moved by Ald. Causier, seconded by Ald. Dubinski that each and every account of bills and claims be allowed and ordered paid. Roll call vote, Ayes 14, Present 1 (Donegan)

FROM THE BOARD OF PUBLIC WORKS

1. Resolution approving a Conveyance of Rights in Land document with the WI-DOT in advance of the 2013 paving of Watertown Plank Road from N. 87th Street to Innovation Drive

Board recommended approval 3-0

RESOLUTION R-13-164

WHEREAS, the Wisconsin Department of Transportation has requested the conveyance of certain rights in land on which the Wauwatosa Water Utility holds an easement, in advance of the 2013 paving of Watertown Plank Road from North 87th Street to Innovation Drive as part of the Zoo Interchange Project; and

WHEREAS, the specific locations in nature of those rights being conveyed are described in the Conveyance of Rights in Land document presented to the Board of Public Works at its meeting of August 5, 2013; and

WHEREAS, approval of the Conveyance of Rights in Land document is in the best interest of the City of Wauwatosa;

NOW, THEREFORE, BE IT RESOLVED THAT appropriate City officials are hereby authorized to execute the Conveyance of Rights in Land document for certain rights owned by the Wauwatosa Water Utility in advance of the 2013 paving on Watertown Plank Road between 87th Street and Innovation Drive, in preparation for future work related to the Zoo Interchange Project in the City of Wauwatosa.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tim Hanson, Alderman
SECONDER:	Craig Wilson, Alderman
AYES:	Berdan, Birschel, Causier, Donegan, Dubinski, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Ewerdt

- Resolution approving a Conveyance of Rights in Land document with the WI-DOT for the area of I-94 and Ripley Avenue

RESOLUTION R-13-165

WHEREAS, the Wisconsin Department of Transportation has requested a conveyance of certain rights in land over which the Wauwatosa Sanitary Sewer Utility holds an Easement; and

WHEREAS, the specific locations and nature of those rights being conveyed are described in the "Conveyance of Rights in Land" document which was presented to the Board of Public Works at its meeting of December 17, 2012, describing the conveyance of land in the area of Interstate 94 and Ripley Avenue, located within parcel number 413-9997-001; and

WHEREAS, the approval of the Conveyance of Rights and Land document is in the best interest of the City of Wauwatosa;

NOW, THEREFORE, BE IT RESOLVED THAT appropriate City officials are hereby authorized to execute the "Conveyance of Rights in Land" document requested by the Wisconsin Department of Transportation in the area of Interstate 94 and Ripley Avenue in preparation for future work related to the Zoo Interchange Project within the City of Wauwatosa.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tim Hanson, Alderman
SECONDER:	Craig Wilson, Alderman
AYES:	Berdan, Birschel, Causier, Donegan, Dubinski, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Ewerdt

3. Resolution approving a Memorandum of Understanding with the WI-DOT, Children's Hospital of Wisconsin, and the Ronald McDonald House concerning responsibilities dealing with construction, maintenance and eventual replacement of the pedestrian bridge being constructed on Watertown Plank Road west of N. 87th Street

Board recommended approval 3-0

RESOLUTION R-13-166

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT permission is granted to enter into a Memorandum of Understanding between The Ronald McDonald House Charities of Eastern Wisconsin, Inc., the City of Wauwatosa, Children's Hospital of Wisconsin, Inc., and the Wisconsin Department of Transportation regarding the new Watertown Plank Road Pedestrian Bridge, and accepting responsibility for future maintenance and repair of the pedestrian bridge on Watertown Plank Road connecting the Ronald McDonald House with Children's Hospital, which Memorandum of Understanding shall be in substantial conformity with the draft presented and reviewed by the Board of Public Works at its meeting of August 5, 2013.

RESULT:	APPROVED [UNANIMOUS]
MOVER:	Tim Hanson, Alderman
SECONDER:	Craig Wilson, Alderman
AYES:	Berdan, Birschel, Causier, Donegan, Dubinski, Hanson, McBride, Moldenhauer, Organ, Pantuso, Roznowski, Tilleson, Walz-Chojnacki, Wilke, Wilson
EXCUSED:	Ewerdt

Carla A. Ledesma, CMC, City Clerk

Ordinance

ORDINANCE AMENDING SECTION 11.32.080 OF THE WAUWATOSA MUNICIPAL CODE TO ADD A PARKING RESTRICTION ON WEST BLUE MOUND ROAD

ORDINANCE AMENDING SECTION 11.32.080 OF THE WAUWATOSA MUNICIPAL CODE TO ADD A PARKING RESTRICTION ON WEST BLUE MOUND ROAD

The Common Council of the City of Wauwatosa do ordain as follows:

Part I. The ""Blue Mound Road - north side" portion of the "Schedule of Streets, and portions" subsection of Wauwatosa Code Section 11.32.080 is hereby amended by adding the following:

- (a) at the no loading zone in front of 9898 W. Blue Mound Road

Part II. This ordinance shall take effect on and after its date of publication.

Passed and Dated _____

City Clerk

Approved _____

Mayor

Ordinance

ORDINANCE AMENDING SECTION 11.32.080 OF THE WAUWATOSA MUNICIPAL CODE TO PROVIDE FOR PARKING RESTRICTIONS ON THE NORTH SIDE OF HILLSIDE LANE

ORDINANCE AMENDING SECTION 11.32.080 OF THE WAUWATOSA MUNICIPAL CODE TO PROVIDE FOR PARKING RESTRICTIONS ON THE NORTH SIDE OF HILLSIDE LANE

The Common Council of the City of Wauwatosa do ordain as follows:

Part I. The "Hillside Lane" portion of the "Schedule of Streets, and portions" subsection of Wauwatosa Code Section 11.32.080 is hereby amended by adding the following:

- (a) on north side of street

Part II. This ordinance shall take effect on and after its date of publication.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-148

By: Legislation, Licensing and Communications

WHEREAS, Vino 100, 1442 Underwood Avenue, Wauwatosa, WI, has requested a transfer of its "Class B" liquor license to Sandy Haeger, d/b/a One Way Cafe & Gallery;

NOW, THEREFORE, BE IT RESOLVED THAT the Class B liquor license be transferred from Vino 100 to Sandy Haeger, d/b/a One Way Cafe & Gallery, 1427 Underwood Avenue, Wauwatosa, WI, for the period ending June 30, 2014.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-149

By: Legislation, Licensing and Communications

WHEREAS, Michael Laus, d/b/a Jimmy's Island Grill/Radisson Hotel, 2303 N. Mayfair Road, Wauwatosa, WI, has requested extension of the licensed premises to include the parking lot on August 25, 2013, for a 2nd Anniversary Party;

NOW, THEREFORE, BE IT RESOLVED THAT the licensed premises of Jimmy's Island Grill/Radisson Hotel, be extended to include the parking lot on August 25, 2013, from 2:00 PM through 8:00 PM, with live music from 3:00 PM - 7:00 PM.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-150

By: Legislation, Licensing and Communications

WHEREAS, Mark Zierach, d/b/a Jackson's Blue Ribbon Pub, 11302 W. Blue Mound Road, has requested a temporary extension of the licensed premises to include the parking lot of his business on August 24, 2013, for an outdoor festival;

NOW, THEREFORE, BE IT RESOLVED THAT the licensed premises of Jackson's Blue Ribbon Pub, be extended to include the parking area on August 24, 2013, between the hours of Noon and 9:00 PM.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-151

By: Legislation, Licensing and Communications

WHEREAS, Kayla Smith, 8082 N. 67th Street, Brown Deer, WI, has applied for an operator's license in conjunction with her employment at Dave & Busters;

NOW, THEREFORE, BE IT RESOLVED THAT Kayla Smith is hereby issued an operator's license for the period ending June 30, 2014, contingent upon a review of her record in six months;

BE IT FURTHER RESOLVED THAT the Wauwatosa Police Department is directed to review Ms. Smith's record six months after issuance of this initial license and report back to the Committee on Legislation, Licensing and Communications if any new significant issues or concerns are revealed at that time.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-152

By: Legislation, Licensing and Communications

WHEREAS, Arte, LLC, 1442 Underwood Avenue, Wauwatosa, WI, has applied for a Reserve Class B liquor license, to transfer a Class B beer license from 7511 Harwood Avenue to 1442 Underwood Avenue, and for an economic development grant;

NOW, THEREFORE, BE IT RESOLVED THAT a Reserve Class B liquor license be awarded to Arte, LLC, 1442 Underwood Avenue along with a transfer of the Class B beer license from 7511 Harwood Avenue to 1442 Underwood Avenue;

BE IT FURTHER RESOLVED THAT an economic development grant in the sum of \$9,500.00 pursuant to Section 6.08.475 of the Wauwatosa Municipal Code be and hereby is granted.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-153

By: Community Development Committee

WHEREAS, Wisconsin Statute Section 9.20 provides a method for citizens to petition the Common council for direct legislation, provided that the appropriate number of valid electors' signatures are produced on a petition; and

WHEREAS, the requisite number of signatures on a direct legislation petition were submitted by Grassroots Tosa on July 10, 2013, which petition was certified for sufficiency and form by the Wauwatosa City Clerk on July 25, 2013; and

WHEREAS, the question on the direct legislation petition reads as follows:

"RESOLVED, the City of Wauwatosa, Wisconsin, calls for reclaiming democracy from the corrupting effects of undue corporate influence by amending the United States Constitution to establish that:

1. Only human beings, not corporations, are entitled to constitutional rights, and
2. Money is not speech, and therefore regulating political contributions and spending is not equivalent to limiting political speech

BE IT FURTHER RESOLVED, that we hereby instruct our state and federal representatives to enact resolutions and legislation to advance this effort;" and

WHEREAS, upon receipt of a petition for direct legislation containing the requisite number of electors' signatures and having been certified by the City Clerk, the Common Council is required either to pass the resolution without alteration or submit to the electors at the next general election; and

WHEREAS, the Common Council of the City of Wauwatosa believes that a question such as the one submitted would be most appropriately addressed by a referendum placed before the voters of the City of Wauwatosa;

NOW, THEREFORE, BE IT RESOLVED THAT the question which is the topic of the direct legislation petition submitted by Grassroots Tosa on July 10, 2013, shall hereby be submitted to the votes of the City of Wauwatosa at the time of the Spring, 2014, general election, with the question on the ballot requiring a yes or no answer for the following statement:

"RESOLVED, the City of Wauwatosa, Wisconsin, calls for reclaiming democracy from the corrupting effects of undue corporate influence by amending the United States Constitution to establish that:

1. Only human beings, not corporations, are entitled to constitutional rights, and
2. Money is not speech, and therefore regulating political contributions

CITY OF WAUWATOSA
Resolution

R-13-153

By: Community Development Committee

and spending is not equivalent to limiting political speech

BE IT FURTHER RESOLVED, that we hereby instruct our state and federal representatives to enact resolutions and legislation to advance this effort."

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-154

By: Legislation, Licensing and Communications

WHEREAS, Brianna Keaton, 2597 N. Oakland, Milwaukee, WI 53211, has applied for an operator's license in conjunction with her employment at Dave and Busters;

NOW, THEREFORE, BE IT RESOLVED THAT Brianna Keaton is hereby issued an operator's license for the period ending June 30, 2014, contingent upon a review of her record in six months;

BE IT FURTHER RESOLVED THAT the Wauwatosa Police Department is directed to review Ms. Keaton's record six months after issuance of this initial license and report back to the Committee on Legislation, Licensing and Communications if any new significant issues or concerns are revealed at that time.

Passed and Dated _____

City Clerk

Approved _____

Mayor

Ordinance O-13-12

ORDINANCE AMENDING CHAPTER 1.04.110 OF THE WAUWATOSA MUNICIPAL CODE TO MOVE TWO POLLING PLACES (FOR ADOPTION)

The Common Council of the City of Wauwatosa do ordain as follows:

Part I. That portion of Section 1.04.110 of the Wauwatosa Municipal Code relating to the Polling location for Ward 13 is hereby amended to reflect that the polling location shall be at Wauwatosa Public Library, Firefly Room, 7635 West North Avenue.

Part II. That portion of Section 1.04.110 of the Wauwatosa Municipal Code relating to the Polling location for Wards 2 and 3 is hereby amended to reflect that the polling location shall be at the Wauwatosa Woman's Club, 1626 North Wauwatosa Avenue.

Part III. This ordinance shall take effect on and after its date of publication.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-155

By: Community Development Committee

WHEREAS, Cliff Goodhart, Eppstein Uhen Architects, and Curt Stang, UWM Real Estate Foundation, applied for approval of landscaping for the UWM Innovation Accelerator, located at approximately 9700 Watertown Plank Road, and;

WHEREAS, this request was reviewed and recommended by the Committee on Community Development and determined to be necessary for the public convenience at that location; located and proposed to be operated in such manner which will protect the public health, safety, and welfare; and was found to be compatible with surrounding uses;

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City of Wauwatosa, Wisconsin hereby grants approval to Cliff Goodhart, Eppstein Uhen Architects, and Curt Stang, UWM Real Estate Foundation, for the UWM Innovation Accelerator landscaping.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-156

By: Budget and Finance Committee

WHEREAS, the Wauwatosa Water Utility has reached a Memorandum of Agreement with Milwaukee County regarding transfer of seven (7) water utility customers from the County's water utility to the Wauwatosa Water Utility, which agreement also includes financial terms for a 10 year lease of the County's water tower located near Watertown Plank Road, west of Highway 45, and transfer of ownership of that tower and the land beneath to the City of Wauwatosa at the conclusion of the 10 year lease; and

WHEREAS, the proposed Memorandum of Understanding was approved by the Milwaukee County Board on June 20, 2013; and

WHEREAS, the draft was presented to the Committee on Budget and Finance at its meeting of July 30, 2013;

NOW, THEREFORE, BE IT RESOLVED THAT appropriate City officials are hereby authorized to enter into a Memorandum of Agreement between Milwaukee County and the Wauwatosa Water Utility, transferring seven (7) customers and entering into a 10-year lease with transfer of ownership of the water tower and land, which Memorandum of Agreement shall be in substantial conformance with the document presented to the Committee on Budget & Finance at its July 30, 2013 meeting.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-157

By: Budget and Finance Committee

WHEREAS, the amount for the City's Community Development Block Grant (CDBG) allocation for 2013 is \$905,241, which is approximately 5% greater than the amount the City received in 2012; and,

WHEREAS, it was necessary to amend funding levels for applicant requests to reflect the increase in funding; and,

WHEREAS, the previously approved 2013 funding request for Rebuilding Together Greater Milwaukee (\$125,000) will be reallocated to Admin/Planning (\$50,000) and WEDC (\$75,000); and,

WHEREAS, in addition to the 2013 approved allocation, approximately \$131,234 of unspent funds from completed projects will be reallocated to economic development under the City's WEDC to bring their 2013 CDBG Balance to \$300,000;

NOW, THEREFORE BE IT RESOLVED THAT the Common Council of the City of Wauwatosa approves the use of 2013 CDBG funds for the following purposes:

Administration & Planning - \$181,000 Max.

Administration/Planning, \$125,000

Metro Fair Housing, \$33,000

Total, \$158,000

Public Services & Community Programs - \$135,780 Max.

Senior Center, \$86,200

ARC Milwaukee, \$13,980

Elena's House, \$10,550

Interfaith, \$3,400

Tosa Food Pantry, \$5,300

Tosa Cares, \$6,350

Total, \$135,780

Public Facilities, Economic Development & Rehabilitation

WWBIC, \$20,000

Greek Orthodox Manor, \$109,500

Vision Forward, \$10,000

Lutheran Home, \$303,195

WEDC, \$68,766

Total, \$611,461

CITY OF WAUWATOSA
Resolution

R-13-157

By: Budget and Finance Committee

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-158

By: Budget and Finance Committee

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT a 2.7% rate increase for Emergency Medical Services be and the same is hereby approved, effective August 15, 2013.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-159

By: Budget and Finance Committee

BE IT RESOLVED, by the Common Council of the City of Wauwatosa, THAT the request for approval to purchase portable speed tables for a Traffic Calming Pilot Program is hereby approved.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-160

By: Budget and Finance Committee

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT authorization is hereby granted to enter into an Agreement with Engberg Anderson, Inc. in the amount of \$46,350.00 for the design, administrative and bidding costs associated with the Hart Park Pavilion construction project.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-161

By: Budget and Finance Committee

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT permission be and hereby is granted to amend the 2014 Capital Improvement Plan for North Avenue sewer improvements, as more particularly described at the meeting of the Committee on Budget and Finance at its meeting of July 30, 2013.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-162

By: Budget and Finance Committee

WHEREAS, the City of Wauwatosa, Milwaukee County, Wisconsin (the "City") heretofore issued its Taxable General Obligation Promissory Notes, Series 2009 (Build America Bonds - Direct Payment), dated July 1, 2009 (the "Refunded Obligations") and irrevocably designated such issue to be a qualified "Build America Bond" within the meaning of Subsection 54AA(g) of the Internal Revenue Code of 1986, as amended (the "Code") and the regulations promulgated thereunder by the U.S. Department of Treasury (the "Regulations") so that the City is eligible to claim refundable credits with respect to each interest payment on the Refunded Obligations, payable to the City by the Secretary of the United States Department of the Treasury ("Treasury");

WHEREAS, the Refunded Obligations are subject to redemption prior to maturity, in whole or in part, at the option of the City, on any day, at a redemption price equal to 100% of the principal amount redeemed plus accrued interest to the date of redemption, in the event that either (a) Section 54AA or 6431 of the Code is repealed, amended or modified in a manner which results in a reduction or elimination of the City's 35% cash subsidy payment from the Treasury or (b) the Treasury fails to make a cash subsidy payment to which the City is entitled and such failure is not caused by any action or inaction by the City ("Extraordinary Redemption");

WHEREAS, on May 20, 2013, the City was notified by the Treasury that the credit payment it requested with respect to the June 1, 2013, interest payment on the Refunded Obligations was reduced by 8.7%, pursuant to the requirements of the Balanced Budget and Emergency Deficit Control Act of 1985, as amended, and the City subsequently received the reduced credit payment;

WHEREAS, the Treasury's reduction in the credit payment with respect to the June 1, 2013, interest payment was not due to any action or inaction by the City;

WHEREAS, these circumstances satisfy the requirements for Extraordinary Redemption set forth above and the Refunded Obligations are eligible to be redeemed on any day;

WHEREAS, the Common Council deems it to be necessary, desirable and in the best interest of the City to refund the Refunded Obligations due to Treasury's failure to make the full cash subsidy payment;

WHEREAS, it is desirable to borrow the funds needed for such purpose through the issuance of general obligation bonds pursuant to Section 67.04, Wisconsin Statutes;

WHEREAS, cities are authorized by the provisions of Section 67.04, Wisconsin Statutes, to borrow money and issue general obligation refunding bonds to refinance their outstanding obligations;

WHEREAS, the Common Council adopted a resolution on July 16, 2013 directing Hutchinson, Shockey, Erley & Co., Milwaukee, Wisconsin ("HSE") to take the steps necessary to sell general obligation bonds designated "General Obligation Refunding Bonds, Series 2013"

CITY OF WAUWATOSA
Resolution

R-13-162

By: Budget and Finance Committee

(the "Bonds") to pay the cost of the Refunding;

WHEREAS, HSE, in consultation with the officials of the City, prepared an Official Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Bonds and indicating that the Bonds would be offered for public sale on August 6, 2013;

WHEREAS, the City Clerk (in consultation with HSE) caused a form of notice of the sale to be published and/or announced and caused the Official Notice of Sale to be distributed to potential bidders offering the Bonds for public sale on August 6, 2013;

WHEREAS, the City has duly received bids for the Bonds as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation"); and

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the City. HSE has recommended that the City accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1A. Ratification of the Official Notice of Sale and Offering Materials. The Common Council of the City hereby ratifies and approves the details of the Bonds set forth in Exhibit A attached hereto as and for the details of the Bonds. The Official Notice of Sale and any other offering materials prepared and circulated by HSE are hereby ratified and approved in all respects. All actions taken by officers of the City and HSE in connection with the preparation and distribution of the Official Notice of Sale and any other offering materials are hereby ratified and approved in all respects.

Section 1B. Authorization and Award of the Bonds. For the purpose of paying the cost of the Refunding, there shall be borrowed, pursuant to Section 67.04, Wisconsin Statutes, through the issuance of the Bonds, the sum of THREE MILLION THREE HUNDRED FIFTEEN THOUSAND DOLLARS (\$3,315,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal of the Purchaser offering to purchase the Bonds for the sum set forth on the Proposal (as modified on the Bid Tabulation and reflected in the Pricing Summary referenced below and incorporated herein), plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the Proposal (as modified on the Bid Tabulation) is hereby accepted. The Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. The good faith deposit of the Purchaser shall be retained by the Finance Director and applied in accordance with the Official Notice of Sale, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Bonds bear interest at the rates set forth on

CITY OF WAUWATOSA
Resolution

R-13-162

By: Budget and Finance Committee

the Proposal.

Section 2. Terms of the Bonds. The Bonds shall be designated "General Obligation Refunding Bonds, Series 2013"; shall be issued in the aggregate principal amount of \$3,315,000; shall be dated August 20, 2013; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum; and mature on December 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest is payable semi-annually on June 1 and December 1 of each year commencing on December 1, 2013. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Bonds is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Bonds shall not be subject to optional redemption.

Section 4. Form of the Bonds. The Bonds shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Bonds as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2013 through 2017 for the payments due in the years 2013 through 2018 in the amounts set forth on the Schedule. The amount of tax levied in the year 2013 shall be the total amount of debt service due on the Bonds in the years 2013 and 2014; provided that the amount of such tax carried onto the tax rolls shall be abated by any amounts appropriated pursuant to subsection (D) below which are applied to payment of interest on the Bonds in the year 2013.

(B) Tax Collection. So long as any part of the principal of or interest on the Bonds remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Bonds, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Bonds when due,

CITY OF WAUWATOSA
Resolution

R-13-162

By: Budget and Finance Committee

the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

(D) Appropriation. The City hereby appropriates from amounts levied to pay debt service on the Refunded Obligations or other funds of the City on hand a sum sufficient to be irrevocably deposited in the segregated Debt Service Fund Account created below and used to pay the interest on the Bonds coming due on December 1, 2013 as set forth on the Schedule.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for General Obligation Refunding Bonds, Series 2013, dated August 20, 2013" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Bonds is fully paid or otherwise extinguished. The Finance Director shall deposit in the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Bonds; (ii) any premium not used for the Refunding which may be received by the City above the par value of the Bonds and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Bonds when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Bonds when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Bonds until all such principal and interest has been paid in full and the Bonds canceled; provided (i) the funds to provide for each payment of principal of and interest on the Bonds prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Bonds may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing the Bonds as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

CITY OF WAUWATOSA
Resolution

R-13-162

By: Budget and Finance Committee

(C) Remaining Monies. When all of the Bonds have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Bonds; Segregated Borrowed Money Fund. The proceeds of the Bonds (the "Bond Proceeds") (other than any premium not used for the Refunding and accrued interest which must be paid at the time of the delivery of the Bonds into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purpose for which borrowed or for the payment of the principal of and the interest on the Bonds. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purpose for which the Bonds have been issued has been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purpose shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Bonds to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Bonds, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Bonds to the Purchaser which will permit the conclusion that the Bonds are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Bonds and by the Refunded Obligations and the ownership, management and use of the projects will not cause the Bonds or the Refunded Obligations to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Bonds including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Bonds) if taking, permitting or omitting to take such action would cause any of the Bonds to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Bonds to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Bonds shall provide an appropriate certificate of the City certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the

CITY OF WAUWATOSA
Resolution

R-13-162

By: Budget and Finance Committee

Bonds provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Bonds and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Bonds; Closing; Professional Services. The Bonds shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Bonds may be imprinted on the Bonds in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Bonds, at least one of the signatures appearing on each Bond shall be a manual signature. In the event that either of the officers whose signatures appear on the Bonds shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Bonds and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Bonds, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Bonds is hereby ratified and approved in all respects.

Section 11. Payment of the Bonds; Fiscal Agent. The principal of and interest on the Bonds shall be paid by the Finance Director (the "Fiscal Agent").

Section 12. Persons Treated as Owners; Transfer of Bonds. The City shall cause books for the registration and for the transfer of the Bonds to be kept by the Fiscal Agent. The person in whose name any Bond shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Bond shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Bond to the extent of the sum or sums so paid.

Any Bond may be transferred by the registered owner thereof by surrender of the Bond at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Bond or Bonds of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration shall be made to bearer. The Fiscal Agent shall cancel any Bond surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Bond or Bonds necessary to effect any such transfer.

CITY OF WAUWATOSA
Resolution

R-13-162

By: Budget and Finance Committee

Section 13. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Bonds (the "Record Date"). Payment of interest on the Bonds on any interest payment date shall be made to the registered owners of the Bonds as they appear on the registration book of the City at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Bonds eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the City and on file in the City Clerk's office.

Section 15. Official Statement. The Common Council hereby approves the Near Final Official Statement with respect to the Bonds and deems the Near Final Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Near Final Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Near Final Official Statement and any addenda or Final Official Statement. The City Clerk shall cause copies of the Near Final Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 16. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Bonds, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Bonds or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Bonds).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Bonds, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 17. Redemption of the Refunded Obligations. The Refunded Obligations are hereby called for prior payment and redemption on September 9, 2013 at a price of par plus accrued interest to the date of redemption.

The City hereby directs the City Clerk to work with HSE to cause timely notice of redemption, in substantially the form attached hereto as Exhibit F and incorporated herein by this

CITY OF WAUWATOSA
Resolution

R-13-162

By: Budget and Finance Committee

reference (the "Notice"), to be provided at the times, to the parties and in the manner set forth on the Notice. All actions heretofore taken by the officers and agents of the City to effectuate the redemption of the Refunded Obligations are hereby ratified and approved.

Section 18. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct statement of every step or proceeding had or taken in the course of authorizing and issuing the Bonds in the Record Book.

Section 19. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Bonds, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Bond proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Bonds by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Bond provided herein.

Section 20. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
MEMO



To: **Budget and Finance Committee**

From: **John Ruggini**

Date: **August 06, 2013**

Subject: **Memo from the Finance Director regarding sale of General Obligation Promissory Notes**

A. Issue

The sale of the City of Wauwatosa General Obligation Promissory Notes authorized on July 16, 2013 took place this morning, August 6, 2013. Council approval is required to complete the sale.

B. Background/Options

The Common Council authorized the sale of \$6,250,000 in tax-exempt General Obligation Promissory Notes on July 16, 2013. Four underwriters offered competitive bids. Robert Baird's bid with a True Interest Cost of 2.1298420% was the low bid. This compares favorably with the City's estimate of 2.1212466%, especially given the increase in bond yields since the time of the estimate. The actual debt schedule is attached.

In addition, the City sold \$3,315,000 in tax-exempt General Obligation Promissory Notes to refinance taxable 2009 Build America Bonds due to the reduction in the Federal Government's interest subsidy. Robert Baird was also the low bidder at a rate of 1.2075287%. The difference in the rate from the \$6.25 million issuance is due to the fact that these notes were issued only through 2018 as that is what remained of the 2009 debt schedule. The principal amount was reduced from the \$4.1 million authorized as the existing \$600,000 December payment was excluded from the refunding and the premium paid on the bonds and the issuance costs were netted against the principal. By refunding these bonds, the City saves a total of \$178,221.48 in interest costs over the next five years which equals 4.347% of the outstanding principal.

As part of this debt issuance, Moody's Investors Service reexamined all of the City's debt and reaffirmed its Aaa rating for two issuance and all of its outstanding General Obligation debt. The rating report is attached and it should be noted that while Moody's expressed no discomfort with proposed debt levels through 2015, they did express concern over the City's property values which have dropped nearly 15% since 2007. We plan to discuss this rating report in more detail at a later date.

C. Fiscal Impact

The issuance of the \$6.25 million in General Obligation Promissory Notes will increase debt service costs which will have an impact on the property tax levy and sanitary and storm rates as described in the July 9, 2013 memo. The refunding of the \$4.1 million in 2009 Build America Bonds will save the City tax payers and rate payers \$178,221.48 over the next five years and eliminate the risk that the interest subsidy will be further reduced.

Attachment: BF 080613 Memo Finance Directo GOPN (R-13-162 : Resolution authorizing the issuance and sale of approximately \$3,465,000

D. Recommendation

I recommend approval of the sale of \$6,250,000 in General Obligation Promissory Notes and \$3,315,000 in Refunding Bonds to Robert Baird based on the results of the competitive sale.

**CITY OF WAUWATOSA
\$6,250,000 G.O. NOTES, SERIES 2013
\$3,315,000 G.O. REFUNDING BONDS, SERIES 2013**

**FINAL INTEREST RATE G.O. NOTES
2.12%**

**FINAL INTEREST RATE G.O. REFUNDING BONDS, SERIES 2013
1.20%**

**TOTAL SAVINGS FROM REFINANCING
THE 2009 BUILD AMERICA BONDS (BABS)**

**\$178,221
(2014-2018)**

Attachment: Final 2013 Sale Results.pdf (R-13-162 : Resolution authorizing the issuance and sale of approximately \$3,465,000 General

10:01:05 a.m. CDST

Upcoming Calendar

Overview

Compare

Summary

Bid Results

Wauwatosa
\$6,250,000 General Obligation Promissory Notes,
Series 2013

The following bids were submitted using *PARITY*[®] and displayed ranked by lowest TIC.
 Click on the name of each bidder to see the respective bids.

Bid Award*	Bidder Name	TIC
<input type="checkbox"/>	Robert W. Baird & Co., Inc.	2.129842
<input type="checkbox"/>	BOSC, Inc.	2.282776
<input type="checkbox"/>	UBS Financial Services Inc.	2.317998
<input type="checkbox"/>	FTN Financial Capital Markets	2.339470

*Awarding the Bonds to a specific bidder will provide you with the Reoffering Prices and Yields.

© 1981-2002 i-Deal LLC. All rights reserved. Trademarks

CITY OF WAUWATOSA

\$6,250,000.00 G.O. NOTES, SERIES 2013

AUGUST 20, 2013

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
08/20/2013	-	-	-	-	-
06/01/2014	975,000.00	2.000%	113,765.97	1,088,765.97	-
12/01/2014	-	-	63,125.00	63,125.00	1,151,890.97
06/01/2015	575,000.00	2.000%	63,125.00	638,125.00	-
12/01/2015	-	-	57,375.00	57,375.00	695,500.00
06/01/2016	525,000.00	2.000%	57,375.00	582,375.00	-
12/01/2016	-	-	52,125.00	52,125.00	634,500.00
06/01/2017	625,000.00	2.000%	52,125.00	677,125.00	-
12/01/2017	-	-	45,875.00	45,875.00	723,000.00
06/01/2018	725,000.00	2.000%	45,875.00	770,875.00	-
12/01/2018	-	-	38,625.00	38,625.00	809,500.00
06/01/2019	750,000.00	2.000%	38,625.00	788,625.00	-
12/01/2019	-	-	31,125.00	31,125.00	819,750.00
06/01/2020	525,000.00	3.000%	31,125.00	556,125.00	-
12/01/2020	-	-	23,250.00	23,250.00	579,375.00
06/01/2021	500,000.00	3.000%	23,250.00	523,250.00	-
12/01/2021	-	-	15,750.00	15,750.00	539,000.00
06/01/2022	525,000.00	3.000%	15,750.00	540,750.00	-
12/01/2022	-	-	7,875.00	7,875.00	548,625.00
06/01/2023	525,000.00	3.000%	7,875.00	532,875.00	-
12/01/2023	-	-	-	-	532,875.00
Total	\$6,250,000.00	-	\$784,015.97	\$7,034,015.97	-

Yield Statistics

Bond Year Dollars	\$30,603.47
Average Life	4.897 Years
Average Coupon	2.5618530%
Net Interest Cost (NIC)	2.1717053%
True Interest Cost (TIC)	2.1298420%
Bond Yield for Arbitrage Purposes	1.8745582%
All Inclusive Cost (AIC)	2.1298420%

IRS Form 8038

Net Interest Cost	1.9151926%
Weighted Average Maturity	4.914 Years

2013 G.O. NOTES | SINGLE PURPOSE | 8/ 6/2013 | 10:09 AM

CITY OF WAUWATOSA

REFINANCING OF THE 2009
BUILD AMERICA BONDS

Debt Service Schedule

Date	Principal	Coupon	Interest	Total P+I	Fiscal Total
08/20/2013	-	-	-	-	-
12/01/2013	-	-	27,901.25	27,901.25	27,901.25
06/01/2014	-	-	49,725.00	49,725.00	-
12/01/2014	675,000.00	3.000%	49,725.00	724,725.00	774,450.00
06/01/2015	-	-	39,600.00	39,600.00	-
12/01/2015	675,000.00	3.000%	39,600.00	714,600.00	754,200.00
06/01/2016	-	-	29,475.00	29,475.00	-
12/01/2016	650,000.00	3.000%	29,475.00	679,475.00	708,950.00
06/01/2017	-	-	19,725.00	19,725.00	-
12/01/2017	650,000.00	3.000%	19,725.00	669,725.00	689,450.00
06/01/2018	-	-	9,975.00	9,975.00	-
12/01/2018	665,000.00	3.000%	9,975.00	674,975.00	684,950.00
Total	\$3,315,000.00	-	\$324,901.25	\$3,639,901.25	-

Yield Statistics

Bond Year Dollars	\$10,830.04
Average Life	3.267 Years
Average Coupon	3.0000000%
Net Interest Cost (NIC)	1.2536497%
True Interest Cost (TIC)	1.2075287%
Bond Yield for Arbitrage Purposes	2.9504396%
All Inclusive Cost (AIC)	1.3785890%

IRS Form 8038

Net Interest Cost	1.0294145%
Weighted Average Maturity	3.287 Years

2013 REF 2009 BAB-Sale Re | SINGLE PURPOSE | 8/6/2013 | 10:50 AM

CITY OF WAUWATOSA

REFINANCING OF THE 2009 BUILD AMERICA BONDS

Sources & Uses

Dated 08/20/2013 | Delivered 08/20/2013

Sources Of Funds

Par Amount of Bonds	\$3,315,000.00
Reoffering Premium	205,761.90
Transfers from Prior Issue Debt Service Funds	665,023.15
Total Sources	\$4,185,785.05

Uses Of Funds

Total Underwriter's Discount (0.502%)	16,631.44
Costs of Issuance	18,670.00
Deposit to Current Refunding Fund	4,150,483.61
Total Uses	\$4,185,785.05

2013 REF 2009 BAB-Sale Re | SINGLE PURPOSE | 8/ 6/2013 | 10:41 AM

CITY OF WAUWATOSA

REFINANCING OF THE 2009 BUILD AMERICA BONDS

Debt Service Comparison -- Accrual Basis

Calendar Year	Total P+i	Net New D/S	Old Net D/S	Savings
2013	27,901.25	27,901.25	660,271.25	632,370.00
2014	774,450.00	774,450.00	807,380.00	32,930.00
2015	754,200.00	754,200.00	788,725.00	34,525.00
2016	708,950.00	708,950.00	768,818.76	59,868.76
2017	689,450.00	689,450.00	746,637.50	57,187.50
2018	684,950.00	684,950.00	723,887.50	38,937.50
-	\$3,639,901.25	\$3,639,901.25	\$4,495,720.01	\$855,818.76

PV Analysis Summary (Net to Net)

Gross PV Debt Service Savings	1,050,350.67
Effects of changes in Credit Enhancement Expenses	(207,106.04)
Net PV Cashflow Savings @ 1.379%(AIC)	843,244.63
Transfers from Prior Issue Debt Service Fund	(665,023.15)
Net Present Value Benefit	\$178,221.48
Net PV Benefit / \$4,100,000 Refunded Principal	4.347%
Net PV Benefit / \$3,315,000 Refunding Principal	5.376%

Refunding Bond Information

Refunding Dated Date	8/20/2013
Refunding Delivery Date	8/20/2013

MOODY'S

INVESTORS SERVICE

New Issue: Moody's assigns Aaa to Wauwatosa WI's \$9.7M GO Ser. 2013 notes and bonds

Global Credit Research - 02 Aug 2013

Aaa rating applies to \$66.4 million of post-sale Moody's-rated GO debt

WAUWATOSA (CITY OF) WI
Cities (including Towns, Villages and Townships)
WI

Moody's Rating

ISSUE		RATING
General Obligation Promissory Notes, Series 2013		Aaa
Sale Amount	\$6,250,000	
Expected Sale Date	08/06/13	
Rating Description	General Obligation	

General Obligation Refunding Bonds, Series 2013		Aaa
Sale Amount	\$3,465,000	
Expected Sale Date	08/06/13	
Rating Description	General Obligation	

Moody's Outlook NOO

Opinion

NEW YORK, August 02, 2013 --Moody's Investors Service has assigned a Aaa rating to the city of Wauwatosa's (WI) \$6.3 million General Obligation Promissory Notes, Series 2013 and \$3.5 million General Obligation Refunding Bonds, Series 2013. Concurrently, Moody's has affirmed the Aaa rating on the city's outstanding general obligation unlimited tax debt and Aa2 rating on the city's outstanding lease revenue debt. Post-sale, the city will have \$66.4 million of general obligation debt and \$14.4 million of lease revenue debt outstanding.

SUMMARY RATING RATIONALE

The notes and bonds are secured by the city's general obligation unlimited tax pledge. Proceeds of the notes will finance capital improvements. Proceeds of the bonds will refund for expected interest savings the city's Series 2009 GO notes (Build America Bonds - Direct Payment). The bonds have an extraordinary redemption provision that authorizes the city to redeem the bonds at any time in the event that it receives less than the 35% cash subsidy payment to which it is entitled. On May 20, 2013, the city received a cash subsidy payment of 8.7% less than the amount it was entitled to as a result of federal sequestration.

The Aaa GO rating reflects the city's large tax base with five years of moderate declines, historical maintenance of healthy operations now constrained by strict levy limits, prudent financial management, and manageable debt levels. The Aa2 lease revenue rating is notched twice off the GO rating, reflecting the non-essential nature of the financed projects (construction of a parking garage) and the annual risk of non-appropriation.

STRENGTHS

- Tax base favorably located adjacent to Milwaukee (general obligation rated Aa2/stable) and experiencing ongoing development
- Recent proactive operational changes, including staffing reductions, adjustments to health insurance offerings

and favorable negotiation of union contracts, to maintain structural balance in General Fund-

- Below average fixed obligations given the city's manageable debt burden and small unfunded pension obligation

CHALLENGES:

- Multi-year declines in full value
- Growth in property tax revenues constrained by state imposed levy limits and a large property tax appeal

DETAILED CREDIT DISCUSSION

DIVERSE AND MODERATELY AFFLUENT, MATURE MILWAUKEE SUBURB

The city's tax base value is expected to stabilize over the mid-term given the sizeable development projects underway in its commercial and residential sectors. Located along I-94 in western Milwaukee County (GO rated Aa2), Wauwatosa is favorably located adjacent to the city of Milwaukee, providing residents with access to employment opportunities throughout the metropolitan area. The city's mature \$5.0 billion tax base, inclusive of tax increment value, has experienced five years of declines, resulting in an average annual decline of 3.0% from 2007 to 2012. The largest decline over the five year period (5.3%) occurred in 2012, and that decline is attributable to both depreciation of property and a marked slowdown in new development. New development dropped significantly in 2008 through 2012, with inflation adjusted average annual permit values of \$42 million falling well short of the \$120 million to \$230 million issued annually in the six prior years. Favorably, 2013 permit values as of mid-June are 90% of the amount budgeted for the full year, leading the city to forecast that approximately \$150 million of permits will be issued for the year.

According to Census Bureau data, the city's population experienced five decades of declines through 2010, most recently declining 1.9% between 2000 and 2010. Notably, Census Bureau estimates for 2012 indicate that the city's population grew by a modest 1.4% between 2010 and 2012. Officials note that past declines were largely due to a reduction in family sizes as the community aged. They further note that recent growth is related to an influx of young families to the area and an increase in housing stock due to development of new multi-unit residences on formally industrial property. Approximately 400 new apartment units were built in 2012.

The city has a substantial commercial presence, with commercial property representing 30% of its tax base. Mayfair Mall, the city's largest property taxpayer, accounts for 5.2% of assessed valuation. The mall has recently undergone additions and infrastructure upgrades, and city officials report strong occupancy rates. The city's largest employer is the Milwaukee Regional Medical Center, which employs 15,000. Though this mature city is largely built-out, a number of redevelopment projects are underway or in the planning stages. For example, an \$82 million retail development in the Burleigh Interchange area is currently under construction just north of the Mayfair Mall in a vacant industrial space. To date, the 270,000 square foot project has secured tenants for approximately 60% of the available space, and is slated to open in April 2014.. Additionally, a \$68 million innovation campus is under construction, which will house a University of Wisconsin at Milwaukee engineering school, a business accelerator and residential property. The strength of the local economy is evidenced by the city's May 2013 unemployment rate of 5.6%, which is favorably below both state (6.7%) and national (7.3%) rates for the same time period. City income indices are above average, with median family income (2006 to 2010 averages) at 135.5% of the nation and 131.6% of the state according to estimates from the American Community Survey.

STRONG CITY FINANCIAL MANAGEMENT WITH HEALTHY GENERAL FUND RESERVES

We expect the city's finances to remain healthy given proactive management practices and historical maintenance of healthy operating reserves and liquidity. The city closed fiscal 2012 with a \$635,000 reduction in General Fund balance, bringing fund balance to \$19.0 million, or a still strong 40.7% of revenues. The planned use of reserves was to purchase new garbage carts as part of the city's cost savings measures to automate garbage collection. Net of this one time expenditure, the city's General Fund operations were balanced. The city effectively offset the impact of both a \$500,000 reduction in state aid and stagnant property tax revenues through the implementation of cost savings measures, including eliminating 11 positions and transitioning to a high deductible health insurance plan. The city does not expect to draw down General Fund reserves in fiscal 2013 and it has budgeted for a modest \$450,000 deficit in fiscal 2014 to fund a parks project.

Officials generate five year forecasts for operations and current forecasts indicate that factors such as salary and healthcare inflation have the potential to generate budgetary imbalances in the absence of adjustments. The city's budget is also impacted by a limited potential to grow property tax revenue, which constitutes a sizeable 72% of General Fund revenues. The city's property tax revenues have recently been constrained by both property tax

appeals and state-imposed levy limits. Since fiscal 2012, Wisconsin local governments have been prohibited from increasing the property tax levy other than to capture growth from net new construction and for increased debt service. Officials note their commitment to making the necessary budgetary adjustments to maintain balanced operations. They also expect a modest level of property tax revenue growth of 1% to 2% due annually due net new construction and note that an expiring tax increment district will shift an additional \$180 million of assessed value to the city's general levies in 2016, of which 50% can be counted as net new construction. Given the city's constrained budgetary environment, future credit reviews will focus on its ability to proactively address projected budgetary shortfalls and realize balanced operating results.

MODERATE DEBT BURDEN REFLECTS SUBSTANTIAL OVERLAPPING ISSUANCE

The city's debt burden will likely remain manageable due to rapid principal amortization and moderate future borrowing plans. At 4.1% of full value, the city's overall debt burden is above average, reflecting a sizeable quantity of outstanding debt of Milwaukee County and the Milwaukee Metropolitan Sewer District (Aaa/stable). The city's direct debt burden is more moderate at 1.0% of full value. The direct debt burden includes outstanding lease revenue obligations of \$14.4 million. The lease revenue debt continues to be self supported from tax increment generated by the city's TID #2, which had a substantial fund balance of \$18.5 million at the end of fiscal 2012. The debt is backed by a county commitment should tax increment be insufficient. Principal amortization for the city's GO and lease revenue debt is rapid with 93.3% of principal paid off in ten years. All of the city's outstanding debt is fixed rate, and the city is not a party to any interest rate swap agreements.

The city underwent a State of Good Repair study recently that recommended future capital expenditures well in excess of recent levels. From 1998 to 2011 the city spent an average of \$8.6 million on capital. From 2013 to 2017, the city plans to spend an average of \$22.2 million annually. In fiscal 2013, the city plans to issue \$9.4 million of GO debt in addition to the current issuances. It also plans to cash finance \$5.6 million of capital projects, largely using the cash flows of its utilities. Each of the utilities implemented sizeable approximately 20% rate increases at the end of fiscal 2012 in order to generate additional cash for these projects and increasing debt service costs. As a result of planned capital spending, the city expects total GO debt outstanding in 2017 to grow by \$32 million, or 50% above 2012 levels. However, a majority of the new debt will be paid for with utility revenues, with levy-funded debt growing by just \$13 million over the same time period. Net of utility supported debt and assuming a constant full value, the city's fiscal 2017 debt burden would remain manageable at just above 1% of full value.

The city's exposure to the state multi-employer pension plan, the Wisconsin Retirement System (WRS), is expected to remain manageable. The city's contribution to WRS in fiscal 2012 totaled approximately \$4.7 million. The city has historically made its required contributions to WRS, and going forward will only contribute the employer share of WRS costs for employees in accordance with state legislation (Act 10), which prohibits local governments from making non-public safety employee contributions to WRS on behalf of employees.

Moody's adjusted net pension liability (ANPL) for the city, under our methodology for adjusting reported pension data, was \$40.3 million for fiscal 2010, or 0.81 times operating revenues, inclusive of the General Fund and Debt Service Fund. This compares favorably to the approximately 1.0 times figure on average for local governments. Moody's ANPL reflects certain adjustments we make to improve comparability of reported pension liabilities. The adjustments are not intended replace the city's reported contribution information, but to improve comparability with other rated entities. We determined the city's share of liability for WRS in proportion to its contributions to the plan and covered payroll.

While its pensions are relatively well funded, the city has a sizeable unfunded OPEB liability. A December 31, 2012 actuarial report calculates the city's OPEB unfunded actuarial accrued liability (UAAL) at \$62.4 million, equal to a sizeable 1.3 times operating revenues and 237.6% of covered payroll. The city contributed \$1.8 million for OPEB in fiscal 2012, or just 23.6% of the annual required contribution. The city is self insured for health insurance and officials note that coverage provided to over-65's has driven recent growth in the UAAL given that premiums paid by this group fall well below claims costs. At present, the city is investigating the option of transitioning over-65's to a private plan and expects costs savings and a reduced UAAL as a result.

WHAT COULD CHANGE THE RATING DOWN:

- Material multi-year declines in fund balance and liquidity
- Continued deterioration of the city's tax base and demographic profile

KEY STATISTICS:

2010 Census population: 46,396 (1.9% decrease since 2000)
 2012 Full valuation: \$5.0 billion (3.0% average annual decrease since 2007)
 Estimated full value per capita: \$107,166
 Median family income (2006-2010 average): 135.5% of nation and 131.6% of state
 City unemployment rate (May 2013): 5.6% (state at 6.7%; US at 7.3%)
 Fiscal 2012 General Fund balance: \$19.0 million (40.7% of revenues)
 Overall debt burden: 4.1% (1.0% direct)
 Principal amortization (10 years): 93.3%
 Post-sale long-term general obligation debt outstanding: \$66.4 million
 Lease revenue debt outstanding: \$14.4 million
 Moody's adjusted net pension liability (ANPL): 0.81 times operating revenues

PRINCIPAL METHODOLOGY

The principal methodology used in rating the General Obligation debt was General Obligation Bonds Issued by US Local Governments published in April 2013. The principal methodology used in rating the Lease Revenue debt was The Fundamentals of Credit Analysis for Lease-Backed Municipal Obligations published in December 2011. Please see the Credit Policy page on www.moody.com for a copy of these methodologies.

REGULATORY DISCLOSURES

For ratings issued on a program, series or category/class of debt, this announcement provides certain regulatory disclosures in relation to each rating of a subsequently issued bond or note of the same series or category/class of debt or pursuant to a program for which the ratings are derived exclusively from existing ratings in accordance with Moody's rating practices. For ratings issued on a support provider, this announcement provides certain regulatory disclosures in relation to the rating action on the support provider and in relation to each particular rating action for securities that derive their credit ratings from the support provider's credit rating. For provisional ratings, this announcement provides certain regulatory disclosures in relation to the provisional rating assigned, and in relation to a definitive rating that may be assigned subsequent to the final issuance of the debt, in each case where the transaction structure and terms have not changed prior to the assignment of the definitive rating in a manner that would have affected the rating. For further information please see the ratings tab on the issuer/entity page for the respective issuer on www.moody.com.

Regulatory disclosures contained in this press release apply to the credit rating and, if applicable, the related rating outlook or rating review.

Please see www.moody.com for any updates on changes to the lead rating analyst and to the Moody's legal entity that has issued the rating.

Please see the ratings tab on the issuer/entity page on www.moody.com for additional regulatory disclosures for each credit rating.

Analysts

Andrea Stenhoff
 Lead Analyst
 Public Finance Group
 Moody's Investors Service

Kathryn Gregory
 Additional Contact
 Public Finance Group
 Moody's Investors Service

Contacts

Journalists: (212) 553-0376
 Research Clients: (212) 553-1653

Moody's Investors Service, Inc.
 250 Greenwich Street
 New York, NY 10007
 USA



© 2013 Moody's Investors Service, Inc. and/or its licensors and affiliates (collectively, "MOODY'S"). All rights reserved.

CREDIT RATINGS ISSUED BY MOODY'S INVESTORS SERVICE, INC. ("MIS") AND ITS AFFILIATES ARE MOODY'S CURRENT OPINIONS OF THE RELATIVE FUTURE CREDIT RISK OF ENTITIES, CREDIT COMMITMENTS, OR DEBT OR DEBT-LIKE SECURITIES, AND CREDIT RATINGS AND RESEARCH PUBLICATIONS PUBLISHED BY MOODY'S ("MOODY'S PUBLICATIONS") MAY INCLUDE MOODY'S CURRENT OPINIONS OF THE RELATIVE FUTURE CREDIT RISK OF ENTITIES, CREDIT COMMITMENTS, OR DEBT OR DEBT-LIKE SECURITIES. MOODY'S DEFINES CREDIT RISK AS THE RISK THAT AN ENTITY MAY NOT MEET ITS CONTRACTUAL, FINANCIAL OBLIGATIONS AS THEY COME DUE AND ANY ESTIMATED FINANCIAL LOSS IN THE EVENT OF DEFAULT. CREDIT RATINGS DO NOT ADDRESS ANY OTHER RISK, INCLUDING BUT NOT LIMITED TO: LIQUIDITY RISK, MARKET VALUE RISK, OR PRICE VOLATILITY. CREDIT RATINGS AND MOODY'S OPINIONS INCLUDED IN MOODY'S PUBLICATIONS ARE NOT STATEMENTS OF CURRENT OR HISTORICAL FACT. CREDIT RATINGS AND MOODY'S PUBLICATIONS DO NOT CONSTITUTE OR PROVIDE INVESTMENT OR FINANCIAL ADVICE, AND CREDIT RATINGS AND MOODY'S PUBLICATIONS ARE NOT AND DO NOT PROVIDE RECOMMENDATIONS TO PURCHASE, SELL, OR HOLD PARTICULAR SECURITIES. NEITHER CREDIT RATINGS NOR MOODY'S PUBLICATIONS COMMENT ON THE SUITABILITY OF AN INVESTMENT FOR ANY PARTICULAR INVESTOR. MOODY'S ISSUES ITS CREDIT RATINGS AND PUBLISHES MOODY'S PUBLICATIONS WITH THE EXPECTATION AND UNDERSTANDING THAT EACH INVESTOR WILL MAKE ITS OWN STUDY AND EVALUATION OF EACH SECURITY THAT IS UNDER CONSIDERATION FOR PURCHASE, HOLDING, OR SALE.

ALL INFORMATION CONTAINED HEREIN IS PROTECTED BY LAW, INCLUDING BUT NOT LIMITED TO, COPYRIGHT LAW, AND NONE OF SUCH INFORMATION MAY BE COPIED OR OTHERWISE REPRODUCED, REPACKAGED, FURTHER TRANSMITTED, TRANSFERRED, DISSEMINATED, REDISTRIBUTED OR RESOLD, OR STORED FOR SUBSEQUENT USE FOR ANY SUCH PURPOSE, IN WHOLE OR IN PART, IN ANY FORM OR MANNER OR BY ANY MEANS WHATSOEVER, BY ANY PERSON WITHOUT MOODY'S PRIOR WRITTEN CONSENT. All information contained herein is obtained by MOODY'S from sources believed by it to be accurate and reliable. Because of the possibility of human or mechanical error as well as other factors, however, all information contained herein is provided "AS IS" without warranty of any kind. MOODY'S adopts all necessary measures so that the information it uses in assigning a credit rating is of sufficient quality and from sources Moody's considers to be reliable, including, when appropriate, independent third-party sources. However, MOODY'S is not an auditor and cannot in every instance independently verify or validate information received in the rating process. Under no circumstances shall MOODY'S have any liability to any person or entity for (a) any loss or damage in whole or in part caused by, resulting from, or relating to, any error

(negligent or otherwise) or other circumstance or contingency within or outside the control of MOODY'S or any of its directors, officers, employees or agents in connection with the procurement, collection, compilation, analysis, interpretation, communication, publication or delivery of any such information, or (b) any direct, indirect, special, consequential, compensatory or incidental damages whatsoever (including without limitation, lost profits), even if MOODY'S is advised in advance of the possibility of such damages, resulting from the use of or inability to use, any such information. The ratings, financial reporting analysis, projections, and other observations, if any, constituting part of the information contained herein are, and must be construed solely as, statements of opinion and not statements of fact or recommendations to purchase, sell or hold any securities. Each user of the information contained herein must make its own study and evaluation of each security it may consider purchasing, holding or selling. NO WARRANTY, EXPRESS OR IMPLIED, AS TO THE ACCURACY, TIMELINESS, COMPLETENESS, MERCHANTABILITY OR FITNESS FOR ANY PARTICULAR PURPOSE OF ANY SUCH RATING OR OTHER OPINION OR INFORMATION IS GIVEN OR MADE BY MOODY'S IN ANY FORM OR MANNER WHATSOEVER.

MIS, a wholly-owned credit rating agency subsidiary of Moody's Corporation ("MCO"), hereby discloses that most issuers of debt securities (including corporate and municipal bonds, debentures, notes and commercial paper) and preferred stock rated by MIS have, prior to assignment of any rating, agreed to pay to MIS for appraisal and rating services rendered by it fees ranging from \$1,500 to approximately \$2,500,000. MCO and MIS also maintain policies and procedures to address the independence of MIS's ratings and rating processes. Information regarding certain affiliations that may exist between directors of MCO and rated entities, and between entities who hold ratings from MIS and have also publicly reported to the SEC an ownership interest in MCO of more than 5%, is posted annually at www.moodys.com under the heading "Shareholder Relations — Corporate Governance — Director and Shareholder Affiliation Policy."

For Australia only: Any publication into Australia of this document is pursuant to the Australian Financial Services License of MOODY'S affiliate, Moody's Investors Service Pty Limited ABN 61 003 399 657AFSL 336969 and/or Moody's Analytics Australia Pty Ltd ABN 94 105 136 972 AFSL 383569 (as applicable). This document is intended to be provided only to "wholesale clients" within the meaning of section 761G of the Corporations Act 2001. By continuing to access this document from within Australia, you represent to MOODY'S that you are, or are accessing the document as a representative of, a "wholesale client" and that neither you nor the entity you represent will directly or indirectly disseminate this document or its contents to "retail clients" within the meaning of section 761G of the Corporations Act 2001. MOODY'S credit rating is an opinion as to the creditworthiness of a debt obligation of the issuer, not on the equity securities of the issuer or any form of security that is available to retail clients. It would be dangerous for retail clients to make any investment decision based on MOODY'S credit rating. If in doubt you should contact your financial or other professional adviser.

CITY OF WAUWATOSA
Resolution

R-13-163

By: Budget and Finance Committee

WHEREAS, the Common Council hereby finds and determines that it is necessary, desirable and in the best interest of the City of Wauwatosa, Milwaukee County, Wisconsin (the "City") to raise funds for public purposes, including paying the cost of street improvement projects, bridge repairs, park projects, storm and sanitary sewer improvements, police, fire and public works equipment, park improvements and other public improvements included in the City's Capital Improvement Plan (collectively, the "Project"), and there are insufficient funds on hand to pay said cost;

WHEREAS, cities are authorized by the provisions of Section 67.12(12), Wisconsin Statutes, to borrow money and issue general obligation promissory notes for such public purposes;

WHEREAS, the Common Council adopted a resolution on July 16, 2013 directing Hutchinson, Shockey, Erley & Co., Milwaukee, Wisconsin ("HSE") to take the steps necessary to sell general obligation promissory notes designated "General Obligation Promissory Notes, Series 2013" (the "Notes") to pay the cost of the Project;

WHEREAS, HSE, in consultation with the officials of the City, prepared an Official Notice of Sale (a copy of which is attached hereto as Exhibit A and incorporated herein by this reference) setting forth the details of and the bid requirements for the Notes and indicating that the Notes would be offered for public sale on August 6, 2013;

WHEREAS, the City Clerk (in consultation with HSE) caused a form of notice of the sale to be published and/or announced and caused the Official Notice of Sale to be distributed to potential bidders offering the Notes for public sale on August 6, 2013;

WHEREAS, the City has duly received bids for the Notes as described on the Bid Tabulation attached hereto as Exhibit B and incorporated herein by this reference (the "Bid Tabulation"); and

WHEREAS, it has been determined that the bid proposal (the "Proposal") submitted by the financial institution listed first on the Bid Tabulation fully complies with the bid requirements set forth in the Official Notice of Sale and is deemed to be the most advantageous to the City. HSE has recommended that the City accept the Proposal. A copy of said Proposal submitted by such institution (the "Purchaser") is attached hereto as Exhibit C and incorporated herein by this reference.

NOW, THEREFORE, BE IT RESOLVED by the Common Council of the City that:

Section 1A. Ratification of the Official Notice of Sale and Offering Materials. The Common Council of the City hereby ratifies and approves the details of the Notes set forth in Exhibit A attached hereto as and for the details of the Notes. The Official Notice of Sale and any other offering materials prepared and circulated by HSE are hereby ratified and approved in all respects. All actions taken by officers of the City and HSE in connection with the preparation and distribution of the Official Notice of Sale and any other offering materials are hereby ratified

CITY OF WAUWATOSA
Resolution

R-13-163

By: Budget and Finance Committee

and approved in all respects.

Section 1B. Authorization and Award of the Notes. For the purpose of paying the cost of the Project, there shall be borrowed pursuant to Section 67.12(12), Wisconsin Statutes, the principal sum of SIX MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$6,250,000) from the Purchaser in accordance with the terms and conditions of the Proposal. The Proposal of the Purchaser offering to purchase the Notes for the sum set forth on the Proposal, plus accrued interest to the date of delivery, resulting in a true interest cost as set forth on the Proposal is hereby accepted. The Mayor and City Clerk or other appropriate officers of the City are authorized and directed to execute an acceptance of the Proposal on behalf of the City. The good faith deposit of the Purchaser shall be retained by the Finance Director and applied in accordance with the Official Notice of Sale, and any good faith deposits submitted by unsuccessful bidders shall be promptly returned. The Notes bear interest at the rates set forth on the Proposal.

Section 2. Terms of the Notes. The Notes shall be designated "General Obligation Promissory Notes, Series 2013"; shall be issued in the aggregate principal amount of \$6,250,000; shall be dated August 20, 2013; shall be in the denomination of \$5,000 or any integral multiple thereof; shall be numbered R-1 and upward; and shall bear interest at the rates per annum and mature on June 1 of each year, in the years and principal amounts as set forth on the Pricing Summary attached hereto as Exhibit D-1 and incorporated herein by this reference. Interest is payable semi-annually on June 1 and December 1 of each year commencing on June 1, 2014. Interest shall be computed upon the basis of a 360-day year of twelve 30-day months and will be rounded pursuant to the rules of the Municipal Securities Rulemaking Board. The schedule of principal and interest payments due on the Notes is set forth on the Debt Service Schedule attached hereto as Exhibit D-2 and incorporated herein by this reference (the "Schedule").

Section 3. Redemption Provisions. The Notes maturing on June 1, 2022 and thereafter shall be subject to redemption prior to maturity, at the option of the City, on June 1, 2021 or on any date thereafter. Said Notes shall be redeemable as a whole or in part, and if in part, from maturities selected by the City and within each maturity, by lot, at the principal amount thereof, plus accrued interest to the date of redemption.

Section 4. Form of the Notes. The Notes shall be issued in registered form and shall be executed and delivered in substantially the form attached hereto as Exhibit E and incorporated herein by this reference.

Section 5. Tax Provisions.

(A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal of and interest on the Notes as the same becomes due, the full faith, credit and resources of the City are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property of the City a direct annual irrepealable tax in the years 2013 through 2022 for the payments due in the years 2014 through 2023 in the amounts set forth on the Schedule.

CITY OF WAUWATOSA
Resolution

R-13-163

By: Budget and Finance Committee

(B) Tax Collection. So long as any part of the principal of or interest on the Notes remains unpaid, the City shall be and continue without power to repeal such levy or obstruct the collection of said tax until all such payments have been made or provided for. After the issuance of the Notes, said tax shall be, from year to year, carried onto the tax roll of the City and collected in addition to all other taxes and in the same manner and at the same time as other taxes of the City for said years are collected, except that the amount of tax carried onto the tax roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund Account created below.

(C) Additional Funds. If at any time there shall be on hand insufficient funds from the aforesaid tax levy to meet principal and/or interest payments on said Notes when due, the requisite amounts shall be paid from other funds of the City then available, which sums shall be replaced upon the collection of the taxes herein levied.

Section 6. Segregated Debt Service Fund Account.

(A) Creation and Deposits. There be and there hereby is established in the treasury of the City, if one has not already been created, a debt service fund, separate and distinct from every other fund, which shall be maintained in accordance with generally accepted accounting principles. Debt service or sinking funds established for obligations previously issued by the City may be considered as separate and distinct accounts within the debt service fund.

Within the debt service fund, there hereby is established a separate and distinct account designated as the "Debt Service Fund Account for \$6,250,000 General Obligation Promissory Notes, Series 2013, dated August 20, 2013" (the "Debt Service Fund Account") and such account shall be maintained until the indebtedness evidenced by the Notes is fully paid or otherwise extinguished. The Finance Director shall deposit in the Debt Service Fund Account (i) all accrued interest received by the City at the time of delivery of and payment for the Notes; (ii) any premium which may be received by the City above the par value of the Notes and accrued interest thereon; (iii) all money raised by the taxes herein levied and any amounts appropriated for the specific purpose of meeting principal of and interest on the Notes when due; (iv) such other sums as may be necessary at any time to pay principal of and interest on the Notes when due; (v) surplus monies in the Borrowed Money Fund as specified below; and (vi) such further deposits as may be required by Section 67.11, Wisconsin Statutes.

(B) Use and Investment. No money shall be withdrawn from the Debt Service Fund Account and appropriated for any purpose other than the payment of principal of and interest on the Notes until all such principal and interest has been paid in full and the Notes canceled; provided (i) the funds to provide for each payment of principal of and interest on the Notes prior to the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct obligations of the United States of America maturing in time to make such payments when they are due or in other investments permitted by law; and (ii) any funds over and above the amount of such principal and interest payments on the Notes may be used to reduce the next succeeding tax levy, or may, at the option of the City, be invested by purchasing

CITY OF WAUWATOSA
Resolution

R-13-163

By: Budget and Finance Committee

the Notes as permitted by and subject to Section 67.11(2)(a), Wisconsin Statutes, or in permitted municipal investments under the pertinent provisions of the Wisconsin Statutes ("Permitted Investments"), which investments shall continue to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended (the "Code") and any applicable Treasury Regulations (the "Regulations").

(C) Remaining Monies. When all of the Notes have been paid in full and canceled, and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account shall be transferred and deposited in the general fund of the City, unless the Common Council directs otherwise.

Section 7. Proceeds of the Notes; Segregated Borrowed Money Fund. The proceeds of the Notes (the "Note Proceeds") (other than any premium and accrued interest which must be paid at the time of the delivery of the Notes into the Debt Service Fund Account created above) shall be deposited into a special fund separate and distinct from all other funds of the City and disbursed solely for the purposes for which borrowed or for the payment of the principal of and the interest on the Notes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted Investments. Any monies, including any income from Permitted Investments, remaining in the Borrowed Money Fund after the purposes for which the Notes have been issued have been accomplished, and, at any time, any monies as are not needed and which obviously thereafter cannot be needed for such purposes shall be deposited in the Debt Service Fund Account.

Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be Permitted Investments, but no such investment shall be made in such a manner as would cause the Notes to be "arbitrage bonds" within the meaning of Section 148 of the Code or the Regulations and an officer of the City, charged with the responsibility for issuing the Notes, shall certify as to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery of the Notes to the Purchaser which will permit the conclusion that the Notes are not "arbitrage bonds," within the meaning of the Code or Regulations.

Section 9. Compliance with Federal Tax Laws. (a) The City represents and covenants that the projects financed by the Notes and the ownership, management and use of the projects will not cause the Notes to be "private activity bonds" within the meaning of Section 141 of the Code. The City further covenants that it shall comply with the provisions of the Code to the extent necessary to maintain the tax-exempt status of the interest on the Notes including, if applicable, the rebate requirements of Section 148(f) of the Code. The City further covenants that it will not take any action, omit to take any action or permit the taking or omission of any action within its control (including, without limitation, making or permitting any use of the proceeds of the Notes) if taking, permitting or omitting to take such action would cause any of the Notes to be an arbitrage bond or a private activity bond within the meaning of the Code or would otherwise cause interest on the Notes to be included in the gross income of the recipients thereof for federal income tax purposes. The City Clerk or other officer of the City charged with the responsibility of issuing the Notes shall provide an appropriate certificate of the City

CITY OF WAUWATOSA
Resolution

R-13-163

By: Budget and Finance Committee

certifying that the City can and covenanting that it will comply with the provisions of the Code and Regulations.

(b) The City also covenants to use its best efforts to meet the requirements and restrictions of any different or additional federal legislation which may be made applicable to the Notes provided that in meeting such requirements the City will do so only to the extent consistent with the proceedings authorizing the Notes and the laws of the State of Wisconsin and to the extent that there is a reasonable period of time in which to comply.

Section 10. Execution of the Notes; Closing; Professional Services. The Notes shall be issued in printed form, executed on behalf of the City by the manual or facsimile signatures of the Mayor and City Clerk, authenticated, if required, by the Fiscal Agent (defined below), sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the Purchaser upon payment to the City of the purchase price thereof, plus accrued interest to the date of delivery (the "Closing"). The facsimile signature of either of the officers executing the Notes may be imprinted on the Notes in lieu of the manual signature of the officer but, unless the City has contracted with a fiscal agent to authenticate the Notes, at least one of the signatures appearing on each Note shall be a manual signature. In the event that either of the officers whose signatures appear on the Notes shall cease to be such officers before the Closing, such signatures shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had remained in office until the Closing. The aforesaid officers are hereby authorized and directed to do all acts and execute and deliver the Notes and all such documents, certificates and acknowledgements as may be necessary and convenient to effectuate the Closing. The City hereby authorizes the officers and agents of the City to enter into, on its behalf, agreements and contracts in conjunction with the Notes, including but not limited to agreements and contracts for legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services. Any such contract heretofore entered into in conjunction with the issuance of the Notes is hereby ratified and approved in all respects.

Section 11. Payment of the Notes; Fiscal Agent. The principal of and interest on the Notes shall be paid by the Finance Director (the "Fiscal Agent").

Section 12. Persons Treated as Owners; Transfer of Notes. The City shall cause books for the registration and for the transfer of the Notes to be kept by the Fiscal Agent. The person in whose name any Note shall be registered shall be deemed and regarded as the absolute owner thereof for all purposes and payment of either principal or interest on any Note shall be made only to the registered owner thereof. All such payments shall be valid and effectual to satisfy and discharge the liability upon such Note to the extent of the sum or sums so paid.

Any Note may be transferred by the registered owner thereof by surrender of the Note at the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment duly executed by the registered owner or his attorney duly authorized in writing. Upon such transfer, the Mayor and City Clerk shall execute and deliver in the name of the transferee or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and the Fiscal Agent shall record the name of each transferee in the registration book. No registration

CITY OF WAUWATOSA
Resolution

R-13-163

By: Budget and Finance Committee

shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.

The City shall cooperate in any such transfer, and the Mayor and City Clerk are authorized to execute any new Note or Notes necessary to effect any such transfer.

Section 13. Record Date. The fifteenth day of each calendar month next preceding each interest payment date shall be the record date for the Notes (the "Record Date"). Payment of interest on the Notes on any interest payment date shall be made to the registered owners of the Notes as they appear on the registration book of the City at the close of business on the Record Date.

Section 14. Utilization of The Depository Trust Company Book-Entry-Only System. In order to make the Notes eligible for the services provided by The Depository Trust Company, New York, New York ("DTC"), the City agrees to the applicable provisions set forth in the Blanket Issuer Letter of Representations previously executed on behalf of the City and on file in the City Clerk's office.

Section 15. Official Statement. The Common Council hereby approves the Near Final Official Statement with respect to the Notes and deems the Near Final Official Statement as "final" as of its date for purposes of SEC Rule 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and Exchange Act of 1934 (the "Rule"). All actions taken by officers of the City in connection with the preparation of such Near Final Official Statement and any addenda to it or Final Official Statement are hereby ratified and approved. In connection with the Closing, the appropriate City official shall certify the Near Final Official Statement and any addenda or Final Official Statement. The City Clerk shall cause copies of the Near Final Official Statement and any addenda or Final Official Statement to be distributed to the Purchaser.

Section 16. Undertaking to Provide Continuing Disclosure. The City hereby covenants and agrees, for the benefit of the owners of the Notes, to enter into a written undertaking (the "Undertaking") if required by the Rule to provide continuing disclosure of certain financial information and operating data and timely notices of the occurrence of certain events in accordance with the Rule. The Undertaking shall be enforceable by the owners of the Notes or by the Purchaser on behalf of such owners (provided that the rights of the owners and the Purchaser to enforce the Undertaking shall be limited to a right to obtain specific performance of the obligations thereunder and any failure by the City to comply with the provisions of the Undertaking shall not be an event of default with respect to the Notes).

To the extent required under the Rule, the Mayor and City Clerk, or other officer of the City charged with the responsibility for issuing the Notes, shall provide a Continuing Disclosure Certificate for inclusion in the transcript of proceedings, setting forth the details and terms of the City's Undertaking.

Section 17. Record Book. The City Clerk shall provide and keep the transcript of proceedings as a separate record book (the "Record Book") and shall record a full and correct

CITY OF WAUWATOSA
Resolution

R-13-163

By: Budget and Finance Committee

statement of every step or proceeding had or taken in the course of authorizing and issuing the Notes in the Record Book.

Section 18. Bond Insurance. If the Purchaser determines to obtain municipal bond insurance with respect to the Notes, the officers of the City are authorized to take all actions necessary to obtain such municipal bond insurance. The Mayor and City Clerk are authorized to agree to such additional provisions as the bond insurer may reasonably request and which are acceptable to the Mayor and City Clerk including provisions regarding restrictions on investment of Note proceeds, the payment procedure under the municipal bond insurance policy, the rights of the bond insurer in the event of default and payment of the Notes by the bond insurer and notices to be given to the bond insurer. In addition, any reference required by the bond insurer to the municipal bond insurance policy shall be made in the form of Note provided herein.

Section 19. Conflicting Resolutions; Severability; Effective Date. All prior resolutions, rules or other actions of the Common Council or any parts thereof in conflict with the provisions hereof shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that any one or more provisions hereof shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect immediately upon adoption and approval in the manner provided by law.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-164

By: Board of Public Works

WHEREAS, the Wisconsin Department of Transportation has requested the conveyance of certain rights in land on which the Wauwatosa Water Utility holds an easement, in advance of the 2013 paving of Watertown Plank Road from North 87th Street to Innovation Drive as part of the Zoo Interchange Project; and

WHEREAS, the specific locations in nature of those rights being conveyed are described in the Conveyance of Rights in Land document presented to the Board of Public Works at its meeting of August 5, 2013; and

WHEREAS, approval of the Conveyance of Rights in Land document is in the best interest of the City of Wauwatosa;

NOW, THEREFORE, BE IT RESOLVED THAT appropriate City officials are hereby authorized to execute the Conveyance of Rights in Land document for certain rights owned by the Wauwatosa Water Utility in advance of the 2013 paving on Watertown Plank Road between 87th Street and Innovation Drive, in preparation for future work related to the Zoo Interchange Project in the City of Wauwatosa.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-165

By: Board of Public Works

WHEREAS, the Wisconsin Department of Transportation has requested a conveyance of certain rights in land over which the Wauwatosa Sanitary Sewer Utility holds an Easement; and

WHEREAS, the specific locations and nature of those rights being conveyed are described in the "Conveyance of Rights in Land" document which was presented to the Board of Public Works at its meeting of December 17, 2012, describing the conveyance of land in the area of Interstate 94 and Ripley Avenue, located within parcel number 413-9997-001; and

WHEREAS, the approval of the Conveyance of Rights and Land document is in the best interest of the City of Wauwatosa;

NOW, THEREFORE, BE IT RESOLVED THAT appropriate City officials are hereby authorized to execute the "Conveyance of Rights in Land" document requested by the Wisconsin Department of Transportation in the area of Interstate 94 and Ripley Avenue in preparation for future work related to the Zoo Interchange Project within the City of Wauwatosa.

Passed and Dated _____

City Clerk

Approved _____

Mayor

CITY OF WAUWATOSA
Resolution

R-13-166

By: Board of Public Works

BE IT RESOLVED, by the Common Council of the City of Wauwatosa THAT permission is granted to enter into a Memorandum of Understanding between The Ronald McDonald House Charities of Eastern Wisconsin, Inc., the City of Wauwatosa, Children’s Hospital of Wisconsin, Inc., and the Wisconsin Department of Transportation regarding the new Watertown Plank Road Pedestrian Bridge, and accepting responsibility for future maintenance and repair of the pedestrian bridge on Watertown Plank Road connecting the Ronald McDonald House with Children's Hospital, which Memorandum of Understanding shall be in substantial conformity with the draft presented and reviewed by the Board of Public Works at its meeting of August 5, 2013.

Passed and Dated _____

City Clerk

Approved _____

Mayor