

COMMUNITY DEVELOPMENT AUTHORITY  
5909 North Milwaukee River Parkway  
Glendale, Wisconsin 53209

MEETING AGENDA

Tuesday, September 19, 2017  
5:45 p.m.

1. Roll Call and Pledge of Allegiance.
2. Adoption of Minutes of Meetings Held on June 26, 2017.
3. Review and Approval of the First Amendment to the Planned Development Agreement for 4655 North Port Partners (4655 North Port Washington Road)
4. Adjournment.

NOTICE: Although this is NOT a meeting of the Glendale Common Council, a majority of Council members may be in attendance. No action or deliberation by the Council will take place.

-Upon reasonable notice, efforts will be made to accommodate the needs of disabled individuals.-

## COMMUNITY DEVELOPMENT AUTHORITY

Monday, June 26, 2017

The Community Development Authority met in the Common Council Chambers of the Glendale City Hall, 5909 North Milwaukee River Parkway.

The meeting was called to order by the Chairman, Bryan Kennedy at 5:45 p.m.

Roll Call: Present: Mr. Bryan Kennedy, Mr. Jim Daugherty, Mrs. Tomika Vukovic, Mr. Peter Brennan, and Mr. Joshua Wadzinski. Absent: Mr. Donald Voith. Mr. Walter Wilson arrived at 5:50 p.m.

Other Officials Present: Rachel Reiss, Executive Director; John Fuchs, City Attorney; Shawn Lanser, Deputy City Administrator and Karen Couillard Clerk.

### OPEN MEETING NOTICE.

The Executive Director advised that in accordance with the Open Meeting Law the City's official newspaper was advised on Thursday, June 22, 2017, of the date of this meeting, that the agenda was posted on the official bulletin board of City Hall, the general public in the Municipal Building and the Police Department, and those persons who those persons who requested were sent copies of the agenda.

### Approval of the minutes of meetings held on October 10, 2016 and May 15, 2017

Motion was made by Mrs. Vukovic, seconded by Mr. Brennan, to approve the minutes of meetings held on October 10, 2016 and May 15, 2017. Ayes: Mr. Kennedy, Daugherty, Brennan, Wadzinski and Vukovic. Noes: None. Absent: Wilson and Voith. Motion carried unanimously.

### Public Hearing on proposed Amended and Restated Lease with the City of Glendale for certain public property in Tax Incremental District No. 8.

Mr. John Mehan from Baird reviewed the preliminary pricing summary of the proposed amended and restated lease. He explained the issue of the debt and the benefit of refinancing including the City rating and the rating of the Tax Incremental District. The average interest rate should be 3.66% with a final maturity of October 1, 2029. The potential savings to the City would be substantial.

Mr. Wilson asked how the 3.66% was determined in light of the Federal Interest Rate. Mr. Mehan explained that taxable issues are priced against Treasury not based on the short term interest rate.

With no comments from the public, motion was made by Mr. Brennan, seconded by Mr. Daugherty to close the public hearing. Ayes: Mr. Kennedy, Daugherty, Brennan, Wadzinski, Wilson and Mrs. Vukovic. Noes: None. Absent: Voith. Motion carried unanimously.

### Resolution Approving an Amended and Restated Lease with the City of Glendale; and Authorizing the Parameters of the Borrowing of Not to Exceed \$19,000,000 and the Issuance and Sale of Taxable Community Development Lease Revenue Refunding Bonds, Series 2017A (Bayshore Facility) Therefor; and Delegating Final Approval Authority.

Motion was made by Mr. Brennan, seconded by Mr. Daugherty, to recommend approval of the Resolution Approving an Amended and Restated Lease with the City of Glendale; and Authorizing the Parameters of the Borrowing of Not to Exceed \$19,000,000 and the Issuance and Sale of Taxable Community Development Lease Revenue Refunding Bonds, Series 2017A (Bayshore Facility) Therefor;

and Delegating Final Approval Authority.. Ayes: Mr. Kennedy, Daugherty, Brennan, Wadzinski, Wilson and Mrs. Vukovic. Noes: None. Absent: Voith. Motion carried unanimously.

ADJOURNMENT.

There being no further business, motion was made by Mrs. Vukovic, seconded by Mr. Wadzinski, to adjourn the meeting. Ayes: Mr. Kennedy, Daugherty, Brennan, Wadzinski, Wilson and Mrs. Vukovic. Noes: None. Absent: Voith. Motion carried unanimously and adjournment of the Community Development Authority was ordered at 6:01p.m.

Karen Couillard  
City Clerk

Recorded: June 27, 2017



**SUBJECT:** First Amendment to the Planned Development Agreement for 4655 North Port Partners (4655 North Port Washington Road)

**FROM:** Rachel Reiss, City Administrator

**MEETING DATE:** September 13, 2017

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**FISCAL SUMMARY:**

Budget Summary:	TIF #7
Budgeted Expenditure:	N/A
Budgeted Revenue:	N/A

**STATUTORY REFERENCE:**

Wisconsin Statutes:	N/A
Municipal Code:	N/A

**BACKGROUND/ANALYSIS:**

The property located at 4655 N. Port Washington Road is in TIF #7. A development agreement was approved on June 19, 2000. The owner is looking to sell the property. As a part of a potential sale, the buyers have requested that there be an option to add 10 parking spaces to the current configuration.

**RECOMMENDATION:**

Staff has met with the owners of the property. The proposed additional parking would reduce the amount of green space on the property. As a compromise, staff suggested an amendment to the agreement which would allow for the new owner to show cause for additional parking and work with the city to ensure any new landscape plan would be acceptable.

Staff is comfortable with the language drafted by Attorney Fuchs.

**ACTION REQUESTED:**

Motion to approve the First Amendment to the Planned Development Agreement for 4655 North Port Partners as presented.

**ATTACHMENTS:**

1. First Amendment to the Planned Development Agreement.

## **FIRST AMENDMENT TO PLANNED DEVELOPMENT AGREEMENT**

**THIS FIRST AMENDMENT TO PLANNED DEVELOPMENT AGREEMENT** is made by and between 4655 North Port Partners, LLC, a Wisconsin Limited Liability Company (“Developer”), and the Community Development Authority of the City of Glendale (“CDA”). While not a party hereto, the City of Glendale (“City”) is intended to be a third-party beneficiary of this Amendment, and the term “City” as used herein can mean the CDA as the context may require.

### **WITNESSETH:**

**WHEREAS**, the parties entered into a Planned Development Agreement under Date of June 19<sup>th</sup>, 2000, which Development Agreement governed the development of the property described in Exhibit A, attached hereto and incorporated herein, and whereas Developer has petitioned the Community Development Authority of the City of Glendale, and City’s Common Council, to amend such Development Agreement to modify the Parking Plans as previously approved, and whereas the Community Development Authority of the City of Glendale finds it is in the interest of the parties and the public that such Amendments to the Parking Plan be allowed, but subject to specific conditions,

**NOW, THEREFORE**, in consideration of the mutual benefit derived from further development of the property, the parties hereto agree as follows:

The Parking Plan attached hereto incorporated herein as Exhibit B. is hereby specifically approved and constitutes as an Amendment to the Planned Development Agreement. Developer or its successors interest may implement such Parking Plans subject to the following conditions, which conditions shall be deemed conditions precedent to the rights created by the Amendment.

1. Developer, or its successors and interests, shall demonstrate by way of actual current lease, or letter of intent, a need for additional parking spaces in order to achieve 100% tenant occupancy of the building.
2. After 12/31/2025, The Developer shall in good faith first request approval of the Department of Transportation for alternate parking on the Department of

Transportation right of way adjacent to the subject parcel. Denial of a request shall not be subject to challenge by CDA or City, nor shall require Developer's acceptance of any conditions to approval which the Department of Transportation might impose.

3. The increase in parking spaces shall be limited to ten additional parking spaces, subject to approval of a landscape plan by the Community Development Authority of the City of Glendale. Developer, or its successors or interests, shall employ its best efforts to preserve the Aesthetic appearance currently afforded by existing landscaping. Approval of such landscaping plans may not be unreasonably withheld by the Community Development Authority of the City of Glendale or any reviewing Authorities or Agents of the City of Glendale.

**IN WITNESS WHEREOF**, the parties to this Agreement have caused this instrument to be signed and sealed by the Developer and the City of Glendale upon duly given authority, and its Seal is to be affixed hereto this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

SIGNED AND SEALED  
IN THE PRESENCE OF:

**DEVELOPER,**  
4655 North Port Partners, LLC

By: Weas Management, LLC, Manager

By: \_\_\_\_\_  
Douglas J. Weas, Manager

COMMUNITY DEVELOPMENT  
AUTHORITY OF THE CITY OF  
GLENDALE:

\_\_\_\_\_  
Chairman

Countersigned:

\_\_\_\_\_  
Clerk

Countersigned:

\_\_\_\_\_  
Rachel A. Reiss  
City Administrator

Approved as to form this \_\_\_\_\_ day of \_\_\_\_\_, 2017.

\_\_\_\_\_  
John F. Fuchs, City Attorney  
State Bar No.: 01016712

STATE OF WISCONSIN     )  
  ) S.S.  
MILWAUKEE COUNTY    )

Personally, came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2017,  
the above-named Douglas J. Weas, Manager of Weas Management, LLC, Manager of 4655  
North Port Partners, LLC, to me known to be the person who executed the foregoing  
instrument and acknowledged the same.

\_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission \_\_\_\_\_

STATE OF WISCONSIN     )  
  ) S.S.  
MILWAUKEE COUNTY    )

Personally, came before me this \_\_\_\_\_ day of \_\_\_\_\_, 2017, the above-named \_\_\_\_\_, to me known to be the persons who executed the foregoing instrument and acknowledged the same.

\_\_\_\_\_  
Notary Public, State of Wisconsin  
My Commission \_\_\_\_\_

This Document Was Drafted By:

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Elm Grove, WI 53122  
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## **EXHIBITS**

**Exhibit A:** Plat of PD-Planned Development Site

**Exhibit B:** The Parking Plan