



Legislation Details (With Text)

**File #:** 111405      **Version:** 2

**Type:** Resolution      **Status:** Passed

**File created:** 2/7/2012      **In control:** PUBLIC WORKS COMMITTEE

**On agenda:**      **Final action:** 5/22/2012

**Effective date:**

**Title:** Substitute resolution authorizing a Purchase, Sale and Development Agreement for the East Library at 1910 East North Avenue with HSI Properties, LLC to approve sale of the property, redevelopment of a mixed-use building and acquisition of the new East Library condominium unit, in the 3rd Aldermanic District.

**Sponsors:** ALD. KOVAC, ALD. HAMILTON, ALD. COGGS, ALD. WADE

**Indexes:** AGREEMENTS, MILWAUKEE PUBLIC LIBRARY, PROPERTY SALES

**Attachments:** 1. City Plan Commission Letter, 2. Revised Land Disposition and Acquisition Report, 3. Land Disposition and Acquisition Report, 4. Purchase, Sale and Development Agreement-Final, 5. Fiscal Impact Statement, 6. PowerPoint Presentation, 7. Hearing Notice List, 8. Hearing Notice List 3/27/12 Mtg, 9. Hearing Notice List 5/9/12

Date	Ver.	Action By	Action	Result	Tally
2/7/2012	0	COMMON COUNCIL	ASSIGNED TO		
2/9/2012	0	PUBLIC WORKS COMMITTEE	REFERRED TO		
3/2/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/7/2012	0	PUBLIC WORKS COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	4:0
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/23/2012	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
3/26/2012	1	CITY CLERK	Sponsor added		
3/27/2012	1	PUBLIC WORKS COMMITTEE	HELD TO CALL OF THE CHAIR	Pass	5:0
5/4/2012	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/4/2012	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/4/2012	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/4/2012	1	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
5/9/2012	1	PUBLIC WORKS COMMITTEE	SUBSTITUTED	Pass	5:0
5/9/2012	2	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
5/9/2012	1	CITY CLERK	Sponsor added		
5/9/2012	2	CITY CLERK	DRAFT SUBMITTED		
5/22/2012	2	COMMON COUNCIL	ADOPTED	Pass	11:0
6/1/2012	2	MAYOR	SIGNED		

111405  
SUBSTITUTE 2

ALD. KOVAC, HAMILTON, COGGS and WADE

Substitute resolution authorizing a Purchase, Sale and Development Agreement for the East Library at 1910 East North Avenue with HSI Properties, LLC to approve sale of the property, redevelopment of a mixed-use building and acquisition of the new East Library condominium unit, in the 3rd Aldermanic District.

This substitute resolution authorizes the sale of the City-owned East Library at 1910 East North Avenue for redevelopment and approves the acquisition of a new East Library Condominium according to the conditions in a Land Disposition and Acquisition Report. This resolution also authorizes an Option to Purchase for the new East Library Condominium in the event the unit becomes surplus to municipal needs according to the conditions in the Purchase, Sale and Development Agreement.

Whereas, The Milwaukee Public Library ("MPL") with assistance from the Department of City Development ("DCD") published a Request for Proposal ("RFP") for the sale and redevelopment of the City of Milwaukee ("City") East Library at 1910 East North Avenue; and

Whereas, The RFP offered the current library property for sale at a nominal cost in exchange for a redevelopment that will provide the shell for a new East Library at no cost to the City under established conditions and that will include a secondary use that will complement MPL patrons, the East North Avenue Business District and East Side residents; and

Whereas, Three conceptual proposals were received before the established deadline and were presented to the MPL Board of Trustees and the public for comment after which the MPL Board of Trustees requested that the three developers prepare more detailed submissions for MPL review and selection; and

Whereas, After a public meeting on the revised submittals, the MPL Board of Trustees selected the proposal submitted by HSI Properties, LLC ("HSI") as the development proposal that best met MPL and community needs and City redevelopment requirements as summarized in a Land Disposition and Acquisition Report, a copy of which is attached to this Common Council File; and

Whereas, The City Attorney's Office, with input from MPL and DCD staff, has negotiated a Purchase, Sale and Development Agreement with HSI to outline the conditions for sale, HSI redevelopment obligations, including detailed requirements for the future East Library condominium unit, the terms for conveyance of the new East Library Condominium to the City and an Option to Purchase with HSI in the event the new East Library Condominium becomes surplus to municipal needs under specified conditions; and

Whereas, The City Plan Commission has approved the design for the New East Library and the future acquisition of the new East Library Condominium; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the development proposal submitted by HSI Properties, LLC for the City-owned East Library at 1910 East North Avenue is accepted; and, be it

Further Resolved, That the Commissioner of DCD, or designee, is authorized to execute the Purchase, Sale and Development Agreement with HSI, or assigns, and to close the transaction according to the terms of the Land Disposition and Acquisition Report, including execution of any needed easements and releases of deed restrictions; and, be it

Further Resolved, That upon creation of the future condominium unit at the property, the City is authorized to accept title to the East Library Condominium from HSI; and, be it

Further Resolved, That the nominal purchase price shall be used to reimburse the Redevelopment Authority of the City of Milwaukee for expenses related to the property sale and reacquisition with any remaining funds to be deposited in the Library Fund; and, be it

Further Resolved, That in the event the Common Council declares the East Library

Condominium surplus to municipal needs, the Purchase, Sale and Development Agreement provides an Option to Purchase with HSI Properties or certain successors; and, be it

Further Resolved, That if the Option to Purchase is exercised, the Commissioner of DCD, or designee, is authorized to take steps outlined in the Option to Purchase to negotiate the purchase price and to execute the required legal documents to convey title without additional consideration by the Common Council and after which the net sale proceeds will be deposited with the Library Fund.

DCD/Real Estate

EMM:bmm

05/03/12