



## Legislation Text

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**File #:** 160782, **Version:** 1

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160782  
SUBSTITUTE 1

### THE CHAIR

Substitute resolution approving an amended and restated cooperation agreement between the City of Milwaukee, the Redevelopment Authority of the City of Milwaukee, and the Milwaukee Public Schools for the issuance of bonds facilitating the renovation of various Milwaukee Public Schools and approving a blight designation for these schools and an amended and restated ground lease between the City of Milwaukee and the Redevelopment Authority.

This resolution approves designation by the Redevelopment Authority of the City of Milwaukee (“RACM”) of the various Milwaukee public schools properties identified on the attached list (collectively the “Schools”) under Section 66.1333(2m)(bm) of the Wisconsin Statutes and authorizes the proper City officers to execute the Amended and Restated Cooperation Agreement between the City, RACM and Milwaukee Public Schools (“MPS”) to finance improvements to the Schools.

Whereas, RACM and MPS anticipate cooperative efforts to authorize the issuance of RACM revenue bonds as Qualified Energy Conservation Bonds, Qualified Zone Academy Bonds, or Redevelopment Lease Revenue Bonds (the “Bonds”) pursuant to the terms of an Amended and Restated Cooperation Agreement dated as of November 1, 2016 (the “Amended and Restated Cooperation Agreement”) in order to finance renovations to the Schools; and

Whereas, RACM issued and sold its Federally Taxable Redevelopment Lease Revenue Bonds, Series 2015A (Milwaukee Public Schools - Qualified School Construction Bonds - Direct Payment Subsidy) the (“Series 2015 Bonds”) in a principal amount of \$38,000,000 to provide an amount sufficient, after provision for financing costs, to pay the estimated amount of the project costs; and

Whereas, in connection with the issuance of the Series 2015 Bonds, the Authority acquired from the City, acting on behalf of MPS, a Ground Lease dated June 1, 2015, as amended September 1, 2015 the (“Original Ground Lease”), on the Redevelopment Property as more fully identified therein; and

Whereas, the Authority applied the proceeds from the sale of the Series 2015 Bonds to the Project Costs as referenced in the Original Cooperation Agreement and more precisely described in a Lease for the Redevelopment Property from the Authority to MPS dated as of June 2, 2015, as supplemented and amended September 1, 2015 the (“Original Lease”); and

Whereas, MPS made, installed, constructed, or purchased the project improvements on behalf of the Authority; and

Whereas, pursuant to Section 66.1333 of the Wisconsin Statutes, RACM adopted a resolution

determining that each of the Schools identified in the resolution, by virtue of their present condition, substantially impair and arrest the sound growth and development of the community and further determining that each of the Schools constitutes a “blighted property” within the meaning of Section 66.1333(2m)(bm) of the Wisconsin Statutes; and

Whereas, RACM also anticipates acquisition of additional parcels of public school property under the Original Ground Lease pursuant to an Amended and Restated Ground Lease dated November 1, 2016 the (“Amended and Restated Ground Lease”) in order to allow construction of improvements to the Schools, including the additional parcels, and acquisition of the additional parcels under the Amended and Restated Ground Lease requires Common Council approval pursuant to Section 66.1333(5)(c), Wisconsin Statutes; and

Whereas, this resolution further authorizes the proper City officers to execute the Amended and Restated Ground Lease, the Amended and Restated Cooperation Agreement and such other instruments and agreements as may be necessary in conjunction with the issuance of the Bonds by RACM;

Now, Therefore, BE IT RESOLVED by the Common Council of the City of Milwaukee that the designation of the Schools listed in the Amended and Restated Cooperation Agreement as “blighted” property within the meaning of Section 66.1333(2m)(bm) of the Wisconsin Statutes is hereby approved; and

BE IT FURTHER RESOLVED that the Amended and Restated Cooperation Agreement and the execution and delivery of the Amended and Restated Ground Lease by RACM and the City are hereby approved and the proper City officers are hereby authorized and directed to execute and deliver the Amended and Restated Cooperation Agreement, the Amended and Restated Ground Lease, and such other instruments and agreements as may be necessary in conjunction with the issuance of the Bonds by RACM.

City Attorney  
Assistant City Attorney  
Jeremy R. McKenzie  
September 8, 2016

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