



## Legislation Details (With Text)

**File #:** 170217 **Version:** 1

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

**File created:** 5/9/2017 **In control:** COMMON COUNCIL

**On agenda:** **Final action:** 6/20/2017

**Effective date:**

**Title:** Substitute resolution approving the First Amendment to the Parking Structure Management Agreement between the City of Milwaukee and Deer District, LLC.

**Sponsors:** ALD. MURPHY, ALD. BOHL

**Indexes:** AGREEMENTS, PARKING STRUCTURES

**Attachments:** 1. First Amendment to the Parking Management Agreement, 2. Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
5/9/2017	0	COMMON COUNCIL	ASSIGNED TO		
6/8/2017	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
6/8/2017	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
6/8/2017	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
6/8/2017	1	CITY CLERK	DRAFT SUBMITTED		
6/8/2017	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
6/8/2017	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
6/8/2017	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
6/8/2017	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	HEARING NOTICES SENT		
6/13/2017	1	ZONING, NEIGHBORHOODS & DEVELOPMENT COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	5:0
6/20/2017	1	COMMON COUNCIL	ADOPTED	Pass	13:0
6/28/2017	1	MAYOR	SIGNED		

170217

SUBSTITUTE 1

150383, 150384

ALD. MURPHY AND BOHL

Substitute resolution approving the First Amendment to the Parking Structure Management Agreement between the City of Milwaukee and Deer District, LLC.

This resolution approves the First Amendment to the Parking Structure Management Agreement for the Bucks Arena. The Amendment changes the original Agreement as follows:

1. Section I.H. is amended to delete from the definition of "Gross Revenues" revenue from naming rights or sponsorship opportunities; delete "sponsorship fees" from the exclusion; and add to the exclusion any revenues excluded from "Gross Revenues" pursuant to section V.C.

2. Section III.C. is amended to add that a memorandum of both the original Agreement and the First Amendment to the Agreement shall be recorded at the Milwaukee County Register of Deeds Office.
3. Section V.C. is amended to add clarification to net revenue being received for naming rights or sponsorship opportunities by including the example that all naming rights or sponsorship revenues minus costs reasonably incurred by the Manager in securing and fulfilling obligations with respect to the agreement. Additionally, related costs reasonably incurred by Manager in securing and fulfilling obligations with respect to naming rights or sponsorship opportunities shall no longer be considered expenses. Finally, the Manager shall now donate 50% of all net revenue from naming rights or sponsorship opportunities to MKE Plays.

Whereas, Tax Incremental District No. 84 was created on September 22, 2015 by Common Council File Number 150383 for the development of the Bucks Arena; and

Whereas, Amendment No. 4 to the Project Plan and a Development Agreement authorizing expenditures for Tax Incremental District No. 22 (Beerline "B") was passed on September 22, 2015 by Common Council File Number 150384 for the purpose of contributing toward a new parking structure for the Bucks Arena; and

Whereas, A Parking Structure Management Agreement was made and entered into between the City of Milwaukee and Deer District LLC on May 16, 2016; and

Whereas, A First Amendment to the Parking Structure Management Agreement has been created to amend the original Management Agreement, revising Sections I.H., III.C., and V.C. of the original Management Agreement; and

Whereas, Section I.H. is amended to delete from the definition of "Gross Revenues" revenue from naming rights or sponsorship opportunities; delete "sponsorship fees" from the exclusion; and add to the exclusion any revenues excluded from "Gross Revenues" pursuant to section V.C.; and

Whereas, Section III.C. is amended to add that a memorandum of both the original Agreement and the First Amendment to the Agreement shall be recorded at the Milwaukee County Register of Deeds Office; and

Whereas, Section V.C. is amended to add clarification to net revenue being received for naming rights or sponsorship opportunities by including the example that all naming rights or sponsorship revenues minus costs reasonably incurred by the Manager in securing and fulfilling obligations with respect to the agreement; and

Whereas, Section V.C. is additionally amended so that related costs reasonably incurred by Manager in securing and fulfilling obligations with respect to naming rights or sponsorship opportunities shall no longer be considered expenses; and

Whereas, Section V.C. is further amended to require the Manager to donate 50% of all net revenue from naming rights or sponsorship opportunities to MKE Plays; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the First Amendment to the Parking Structure Management Agreement between the City of Milwaukee and Deer District, LLC is approved.

LRB168794-1  
Tea Norfolk  
6/7/2017