



## Legislation Details (With Text)

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**File created:** 9/1/2011 **In control:** PUBLIC WORKS COMMITTEE

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**Effective date:**

**Title:** Substitute resolution approving a Second Amendment to the Tot Lot, Parking Lot and Park Lease between the City of Milwaukee and COA Youth & Family Centers and authorizing expenditures, in the 6th Aldermanic District.

**Sponsors:** ALD. COGGS

**Indexes:** LEASES, PARKING LOTS

**Attachments:** 1. Executed Lease, 2. Lease, 3. Lease Continued-Exhibits, 4. Fiscal Impact Statement, 5. Hearing Notice List

Date	Ver.	Action By	Action	Result	Tally
9/1/2011	0	COMMON COUNCIL	ASSIGNED TO		
9/7/2011	0	PUBLIC WORKS COMMITTEE	HEARING NOTICES SENT		
9/13/2011	0	PUBLIC WORKS COMMITTEE	RECOMMENDED FOR ADOPTION	Pass	4:0
9/20/2011	1	COMMON COUNCIL	ADOPTED	Pass	14:0
9/29/2011	1	MAYOR	SIGNED		

110611  
SUBSTITUTE 1  
020574, 040148  
ALD. COGGS

Substitute resolution approving a Second Amendment to the Tot Lot, Parking Lot and Park Lease between the City of Milwaukee and COA Youth & Family Centers and authorizing expenditures, in the 6th Aldermanic District.

This substitute resolution authorizes a Second Amendment to the Lease between the City of Milwaukee and COA Youth & Family Centers concerning what is commonly known as Kilbourn Park, in the 6th Aldermanic District, so that COA may add improvements to the amphitheater at the park, so COA may authorize limited amphitheater-naming rights that are terminable by the City when the Lease ends, and it authorizes the City to contribute up to \$50,000 toward the following components of the COA amphitheater project - landscaping, additional seating and a new path.

Whereas, Pursuant to Common Council File No. 020574, the City of Milwaukee ("City") and COA Youth & Family Centers ("COA") entered into a December 1, 2003 Lease whereby COA leases from the City certain lands south of North Avenue and north of Commerce Street for a term of 25 years, with rent at \$1 per year, and with COA agreeing to maintain and operate Kilbourn Park on the "park" part of the leased premises; and

Whereas, Pursuant to Common Council File No. 040148, the City and COA amended the Lease by entering into a "First Amendment to Tot Lot, Parking Lot and Park Lease" dated as of June 18, 2004, pursuant to which COA was allowed limited naming rights for the "bluff" part of the leased premises that are terminable by the City when the Lease ends, so that COA could obtain a million-dollar-endowment grant from the Halbert and Alice Kadish Foundation for on-going maintenance and programming of the leased premises; and

Whereas, COA, under that First Amendment to Lease and the limits therein, allowed the

"bluff" part of the premises to be named the Alice Bertschy Kadish Park; and

Whereas, Now COA wants to add to and improve the "amphitheater" part of the premises that the City built by adding a stage pad, a roof, four more rows of seats, a new path to access the amphitheater, landscaping and COA wants to extend electrical service to the amphitheater; and

Whereas, COA has secured pledges of \$150,000 to undertake and complete the project; and

Whereas, In conjunction with the private donations, COA wants to be able to extend limited naming rights to the amphitheater, which are terminable by the City when the lease ends, to recognize the private donors; and

Whereas, COA wants the City to contribute a maximum of \$50,000 toward the components of the project specified above; and

Whereas, COA is willing to assume responsibility for maintenance and repair of the amphitheater, as improved, and the City will own all of the improvements; and

Whereas, The Department of City Development ("DCD") and COA have negotiated a proposed "Second Amendment to Tot Lot, Parking Lot and Park Lease," a draft copy of which is attached to this Common Council File; now, therefore, be it

Resolved, By the Common Council of the City of Milwaukee, that the Second Amendment to the Lease is approved and its draft copy is incorporated by reference as though set forth in full; and, be it

Further Resolved, That the proper City officials are hereby authorized to execute the amendment document in its current form or in form and substance substantially and materially similar thereto with any changes being approved by DCD after consultation with the City Attorney's Office.

DCD:AER:aer

09/08/11