



City of West Allis

Legislation Text

File #: R-2020-0589, **Version:** 1

Resolution to consider an amendment to the Development Agreement by and between GG 003 LLC, and the City of West Allis regarding the property located at 7030 W. National Avenue and 15** S. 71 St.

WHEREAS, the Common Council approved Resolution #R-2020-0446 for a Development Agreement by and between GG 003, LLC, a Wisconsin limited liability company ("Developer") and the City of West Allis for over a \$2 million development consisting of a 17,800 multi-tenant dental and medical office building and 45 surface parking spaces; and,

WHEREAS, since approval of the Development Agreement, the Developer has requested additional financial assistance in the amount up to \$95,000 for construction delays and increased costs associated with the acquisition of 0.6674 acres of real property in the City of West Allis, Wisconsin ("City"), comprised of tax key parcel 453-0270-001, tax key parcel 453-0272-001 and the portion of the 14-foot wide alley separating the two private parcels (the "Property"), as depicted and contained in **Exhibit A** of the attached Development Agreement; and,

WHEREAS, the increased costs total \$95,000 and are outlined in **Exhibit B** - Delay Impacts; and,

WHEREAS, the Development Department is requesting \$3,000 for a professional services consultant, Concord Group, to evaluate and monitor the construction cost increases for the project; and,

WHEREAS, the Director of Development recommends the amendment to the Development Agreement and support for the Forgivable Loan and Storefront Improvement Grant; and,

WHEREAS, the City desires to encourage economic development, eliminate blight, expand the City's tax base and create new jobs within the City, the District and upon the Property. The City finds that the development of the Project and the fulfillment of the terms and conditions of this Agreement will further such goals, are in the vital and best interests of the City and its residents, and will serve a public purpose in accordance with applicable state and local laws; and,

WHEREAS, the development of the Project would not occur without the benefits to be provided to the Developer as set forth in this Agreement.

NOW, THEREFORE, BE IT RESOLVED that the City of West Allis hereby amends the Development Agreement between the City of West Allis and GG 003 LLC and/or its assigns, for development at 7030 W. National Avenue and 15** S. 71 St. to provide the additional \$95,000 of grant assistance and \$3,000 for professional services contract funds be provided as an improvement that is within a ½ mile radius of Tax Increment Financing District Number 14 - Milwaukee Ductile

BE IT FURTHER RESOLVED that the appropriate city officials, with the approval of the City Attorney, or his designees, are hereby authorized and directed to take any and all other actions deemed necessary or desirable by him to effectuate the intent of the project.

BE IT FURTHER RESOLVED that the appropriate city officials, with approval of the City Attorney, or his designees, are hereby authorized to make such non-substantive changes, modifications, additions and deletions to and from the various provisions of any and all loan commitments, the sale of land, loan agreements, mortgages, notes, guaranties, security agreements, escrow agreements, certificates, affidavits, assignment agreements, pledges, disbursing agreements, subordination agreements, environmental agreements, indemnification agreements, land use restriction agreements, certified survey maps, easements, operating reserve agreements, replacement reserve agreements, working capital agreements, grant agreements and financing statements, development agreements, property management agreements, consulting agreements, escrow agreements, certificates, affidavits, reimbursement agreements, assignment agreements, attachments, exhibits, addendums, amendments and/or any other documents as may be necessary, proper and convenient to correct inconsistencies, eliminate ambiguity, and otherwise clarify and supplement said provisions to preserve and maintain the general intent thereof, and to prepare and deliver such other and further documents as may be

reasonably necessary to complete the transactions contemplated therein.

BE IT FURTHER RESOLVED that the Director of Development is hereby authorized and directed to execute and deliver the aforesaid Amended Development Agreement on behalf of the City of West Allis.

DEV-R-1035-10-6-20

cc: Development Department
 Finance Department