



City of West Allis

Legislation Details (With Text)

File #: R-2019-0497 **Version:** 1

Type: Resolution **Status:** Adopted

File created: 7/8/2019 **In control:** Safety and Development Committee (INACTIVE)

On agenda: 7/8/2019 **Final action:** 7/16/2019

Title: Resolution approving a Purchase and Sale Agreement by and between the Community Development Authority of the City of West Allis and UHS of Delaware, Inc.\Milwaukee Behavioral Health, LLC for new construction of a behavioral health hospital to be located at 1706 S. 68 St. and adjacent commercial parking lot at 17** S. 68 St.

Sponsors: Safety and Development Committee (INACTIVE)

Indexes:

Code sections:

Attachments: 1. UHS - P&S - Exhibit 1, 2. Davis & Kuelthau Letter, 3. Purchase & Sale Agreement, 4. Exhibit E to P&S (Dev Agreement), 5. Exhibit F to P&S (Dev Financing Agmnt), 6. R-2019-0497 signed, 7. Fully Executed Purchase & Sale Agreement & Exhibits - UHS (1-28-20), 8. Fully Executed Performance Guaranty, 9. Fully Executed Development Agreement

Date	Ver.	Action By	Action	Result
7/16/2019	1	Safety and Development Committee (INACTIVE)		Pass
7/16/2019	1	Common Council	Adopted	Pass
7/8/2019	1	Safety and Development Committee (INACTIVE)	Discussed	
7/8/2019	1	Safety and Development Committee (INACTIVE)		

Resolution approving a Purchase and Sale Agreement by and between the Community Development Authority of the City of West Allis and UHS of Delaware, Inc.\Milwaukee Behavioral Health, LLC for new construction of a behavioral health hospital to be located at 1706 S. 68 St. and adjacent commercial parking lot at 17** S. 68 St.

WHEREAS, the Community Development Authority of the City of West Allis (the "Authority") is the owner of 1706 S. 68 St. (the "Property"), totaling 7.5 acres (Tax Key No. 453-0776-003); and,

WHEREAS, the Authority wishes to create additional tax base and foster job creation for the City of West Allis (the "City") through the sale and redevelopment of the Property; and,

WHEREAS, UHS of Delaware, Inc.\Milwaukee Behavioral Health, LLC, its successors and/or assigns, intends to construct an approximate 83,000 sq. ft. behavioral health hospital consisting of 120 beds and potential to add over 250 jobs (the "Project"); and,

WHEREAS, the Authority duly noticed and held a Public Hearing on the sale of the property on July 9, 2019, and through Resolution No.1323, authorized the sale of land of the Property to UHS of Delaware, Inc.\Milwaukee Behavioral Health, LLC; and,

WHEREAS, the Authority, on July 9, 2019 by Resolution No. 1324, authorized a Purchase and Sale Agreement with UHS of Delaware, Inc.\Milwaukee Behavioral Health, LLC, its successors and/or assigns for the development of a behavioral health hospital; and,

WHEREAS, Exhibit 1, attached herein and made a part thereof, verifies that the Project meets the intent and is in conformance with the 68th and Mitchell Redevelopment Area, adopted by the Authority through Resolution No. 1051 on

April 8, 2014, and adopted by the Common Council through Resolution No. R-2014-0113 on May 6, 2014; and,

WHEREAS, the City agrees to the sale of the land to UHS of Delaware, Inc.\Milwaukee Behavioral Health, LLC, its successors and/or assigns, for \$750,000 for the redevelopment of the property.

NOW, THEREFORE, BE IT RESOLVED that the Common Council of the City of West Allis, as follows:

1. Approves the Purchase and Sale Agreement by and between the Community Development Authority of the City of West Allis and UHS of Delaware, Inc.\Milwaukee Behavioral Health, LLC, its successors and/or assigns, for new construction of a behavioral health hospital to be located at 1706 S. 68 St. and adjacent commercial parking lot at 17** S. 68 St., pursuant to section 66.1333(9)(a)1.d., Wis. Stat.

2. That the Executive Director of the Authority, or his designee, with the approval of the City Attorney, or his designee, and subject to Common Council approval, is hereby authorized and directed to take any and all other actions on behalf of the Authority which he deems necessary or desirable in connection with the aforementioned sale of public land, including, without limitation, negotiating, executing, delivering and performing obligations under any and all documents in connection therewith including, without limitation, the sale of land, loan commitments, 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.

3. That the Executive Director, or his designee, with the approval of the City Attorney, or his designee, be and is 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.

4. That the Executive Director, or his designee, with the approval of the City Attorney, or his designee, is 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 Executive Director, or his designee, be and is hereby authorized and directed to execute and deliver the aforesaid Purchase and Sale Agreement, and sale of public land on behalf of the Community Development Authority of the City of West Allis.

cc: Department of Development

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