



# City of West Allis

## Legislation Details (With Text)

<b>File #:</b>	R-2019-0761	<b>Version:</b>	1
<b>Type:</b>	Resolution	<b>Status:</b>	Adopted
<b>File created:</b>	11/5/2019	<b>In control:</b>	Public Works Committee
<b>On agenda:</b>	11/5/2019	<b>Final action:</b>	11/5/2019
<b>Title:</b>	Resolution accepting the donation and authorizing of a Special Assessment for a public improvement and approval of a Public Improvement Agreement for a sidewalk streetscape project on the west side of S. 70 St. between W. Madison St. and W. Washington St.		
<b>Sponsors:</b>	Public Works Committee		
<b>Indexes:</b>			
<b>Code sections:</b>			
<b>Attachments:</b>	1. R-2019-0761 signed, 2. signed agreement, 3. Public Improvement Agreement - Cobalt (1205 South 70th Street) 11-1-2019, 4. Exhibit A - Public Improvement Agreement, 5. Exhibit B - Street Scape - Site Plan, 6. Exhibit C- West Quarter Sidewalk Budget Rev (9/22/19)		

Date	Ver.	Action By	Action	Result
11/6/2019	1	Mayor	Signed/Enacted	
11/5/2019	1	Common Council	Adopted	Pass
11/5/2019	1	Public Works Committee		Pass
11/5/2019	1	Common Council		

Resolution accepting the donation and authorizing of a Special Assessment for a public improvement and approval of a Public Improvement Agreement for a sidewalk streetscape project on the west side of S. 70 St. between W. Madison St. and W. Washington St.

WHEREAS, West Quarter East, LLC and West Quarter West, LLC (collectively, the "Developer") are the owners of the real property and improvements located in the City of West Allis, Wisconsin, consisting of approximately 18.76 acres near the intersection of South 70<sup>th</sup> Street and Washington Street (collectively referred to as the "Property"); and,

WHEREAS, Developer is redeveloping the Property into a mixed-use project containing one or more office, health/fitness, retail hospitality, restaurant, and/or residential components, including development of new public infrastructure (collectively referred to as the "Project"); and,

WHEREAS, the City of West Allis (the "City") and Developer entered into that certain Development Agreement dated March 21, 2019 executed by the Parties for the implementation and development of the Project; and,

WHEREAS, in connection with the Project, Developer and the City desire to enter into the attached Public Improvement Agreement to allow Developer, at its expense, to design, construct and install the streetscape project on the west side of South 70<sup>th</sup> Street between West Madison Street and West Washington Street (the "Streetscape Project"); and,

WHEREAS, pursuant to the terms of the Public Improvement Agreement, the City agrees to pay an amount not to exceed \$475,000 (the "Streetscape Funds") for the design, construction and installation of the Streetscape Project and the Developer agrees to reimburse the City for the Streetscape Funds by means of the City levying a special assessment against the Property; and,

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

1. The approval of the attached Public Improvement Agreement between the City and the Developer for the development of the Streetscape Project.

2. That the Mayor and City Clerk, with the approval of the City Attorney, or their designees, is hereby authorized and directed to execute the Public Improvement Agreement.
3. That the Director of Development, with the approval of the City Attorney, or their designees, is hereby authorized and directed to take any actions necessary to effectuate the intent of the Public Improvement Agreement.
4. That the Director of Development, with the approval of the City Attorney, or their designees, is hereby authorized and directed to take any actions necessary to make such non-substantive changes, modifications, additions and deletions to and from the various provisions of the Public Improvement Agreement and any and all other documents as may be necessary, proper and convenient to correct inconsistencies, eliminate ambiguity and otherwise clarify and supplement said Public Improvement Agreement 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, or his designee, be and is hereby authorized and directed to deliver the executed Public Improvement Agreement on behalf of the City of West Allis.

cc: Development Department  
Engineering Department

DEV-R-997-11-5-19