

1 By Supervisors Lipscomb, Sanfelippo, Biddle, and Borkowski

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3 **A RESOLUTION**

4 authorizing and directing the Directors of the Department of Parks and Recreation and
5 Department of Transportation and Public Works to extend until 2020 the leases for three
6 facilities – The Miller Room, Harbor Lights Room, and Coast
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8 WHEREAS, on June 24, 2010, a decorative concrete panel fell from the
9 O'Donnell Park Parking Structure causing the death of one person and serious injury to
10 two others; and
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12 WHEREAS, following this tragedy there was extensive debate about the
13 O'Donnell complex which included discussion of demolition, sale and or redevelopment;
14 and
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16 WHEREAS, the tragedy resulted in the closure of the O'Donnell Park Parking
17 Structure for approximately one-year to make the necessary repairs which adversely
18 impacted the County and its partners that use the facility for events; and
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20 WHEREAS, on February 18, 2011 The Zilli Hospitality Group (ZHG) issued a
21 letter to the Milwaukee County Board of Supervisors requesting relief for alleged
22 economic damages it has sustained; and
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24 WHEREAS, ZHG currently leases from the County the Miller and Harbor Lights
25 Room and Coast restaurant facility to provide exclusive catering and limited public-
26 access dining services; and
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28 WHEREAS, the current leases with ZHG expire as follows:

- 29 • Miller Room – December 31, 2015
 - 30 • Harbor Lights Room – October 31, 2012
 - 31 • Coast Facility – December 31, 2015
- 32

33 ; and
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35 WHEREAS, ZHG allegedly suffered an economic hardship due to the closure of
36 the O'Donnell parking structure and inaccessibility of adjacent park areas for an entire
37 year and the negative publicity that resulted from the June 24, 2010, structural failure ;
38 and
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40 WHEREAS, extending the facility leases represents a good faith gesture to
41 recognize the successful partnership with ZHG and alleviate any and all claims that they
42 may have with the County due to the O'Donnell Park Parking structural failure; now,
43 therefore,
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45 BE IT RESOLVED, that the Directors of Parks, Recreation, and Culture; and
46 Transportation and Public Works, are authorized and directed to negotiate and execute
47 lease extensions for the Miller Room, Harbor Lights, and Coast with Zilli Hospitality
48 Group through December 31, 2020, in return for a release of all claims against
49 Milwaukee County that Zilli Hospitality Group may have for alleged damages and losses
50 in any way connected with or resulting from the June 24, 2010, fall of the concrete panel
51 from the O'Donnell Park Parking Structure; and

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53 BE IT FURTHER RESOLVED, that the financial terms of the lease extension
54 shall be no less favorable to the County than the current lease agreements for the three
55 facilities; and

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57 BE IT FURTHER RESOLVED, all of the lease extensions shall contain a clause
58 that permits termination of the lease with notice, but without penalty to the County, in
59 the event either of the structures that the facilities are located within are slated for
60 demolition, sale, or redevelopment, as evidenced by an approved resolution of the
61 Milwaukee County Board of Supervisors.