

1 By Supervisor Steve Taylor

File No. 17- 366  
(Journal, )

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4 (ITEM ) From the Director of Economic Develoment, Department of  
5 Administrative Services, requesting authorization to accept the cancellation of the  
6 existing Sports Park Maintenance and Operations Services Agreement with The Rock  
7 Sports Complex LLC for the management of The Rock, pursuant to a new lease for  
8 the Ski Hill in the Village of Greendale.

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10 **A SUBSTITUTE RESOLUTION**

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12 WHEREAS, Milwaukee County is the owner of a former landfill known as  
13 Crystal Ridge in the City of Franklin and the City of Greendale (“Property”); and

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15 WHEREAS, since 2011, the former landfill has been operated as an outdoor  
16 sports recreational facility under a Sports Park Maintenance and Operations Services  
17 Agreement (“Agreement”) with The Rock Sports Complex LLC (“Operator”); and

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19 WHEREAS, the Operator desires to purchase the portion of the Property that is  
20 in the City of Franklin (“Franklin Property”) and adjust the lease terms for the portion of  
21 the Property that is in the City of Greendale (“Greendale Property”); and

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23 WHEREAS, the Milwaukee County Board and Milwaukee County Executive  
24 have authority over different portions of a potential transaction with Operator; and

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26 WHEREAS, the County is interested in pursuing this transaction with Operator;  
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29 WHEREAS, it is customary to develop term sheets authorized by the parties  
30 prior to incurring the significant costs of drafting final documents; and

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32 WHEREAS, the aforementioned term sheets are nonbinding and both the  
33 County Board and County Executive must review and approve the appropriate final  
34 documents before any sale is consummated; now, therefore,

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36 BE IT RESOLVED, that the Milwaukee County Board of Supervisors hereby  
37 supports the attached Ballpark Commons Term Sheet and Lease Agreement Term  
38 Sheet (“Term Sheets”) in concept only; and

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40 BE IT FURTHER RESOLVED, that the County Board hereby authorizes the  
41 Director of Economic and Community Development, together with Corporation  
42 Counsel and the Comptroller, to draft an Option to Purchase, Lease, and Maintenance  
43 Reserve Fund Trust Account Agreement (“Final Documents”) which shall include the  
44 items in the Term Sheets; and

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46 BE IT FURTHER RESOLVED, that the County Board will review all of the Final  
47 Documents when presented, including the Option to Purchase; and

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49 BE IT FURTHER RESOLVED, only when the County Board finds all of the  
50 Final Documents acceptable, will it vote to approve the Lease, Maintenance Reserve  
51 Fund Trust Account Agreement, and any other documents which are under the County  
52 Board's authority ("Final Document Vote"); and

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54 BE IT FURTHER RESOLVED, until the County Board takes a positive final  
55 action on the Final Document Vote, the Term Sheets shall continue to be non-binding.